SUBMIT: COMPLETED APPLICATION, TAX STATEMENT AND FEE TO:

Bayfield County Planning and Zoning Depart. PO Box 58 Washburn, WI 54891 (715) 373-6138

Section 19

□ Shoreland

INSTRUCTIONS: No permits will be issued until all fees are paid.

, Township 5

N, Range <u>0</u>ゲ

Creek or Landward side of Floodplain?

 $\hfill \square$ Is Property/Land within 300 feet of River, Stream (incl. Intermittent)

ls Property/Land within 1000 feet of Lake, Pond or Flowage

W



Date Stamp (Received)

JAN 0 4 2022

Bayfield Co.

Permit #: Date: Amount Paid: Res Access. Buld. \$75.00 FIG 1-10-22 ATF Other: Refund:

Acreage 19, 41

Is your Property

Zone?

Yes

NOW

Are Wetlands

Present?

☐ Yes

No

Lot Size

feet

feet

Distance Structure is from Shoreline:

Distance Structure is from Shoreline:

□ None

Checks are made payable to: Bayfield County Zoning Department.

Original Application MUST be submitted

DO NOT START CONSTRUCTION UNTIL ALL PERMITS HAVE BEEN ISSUED TO APPLICANT. FILL OUT IN INK (NO PENCIL) TYPE OF PERMIT REQUESTED ☐ LAND USE ☐ SANITARY ☐ PRIVY ☐ CONDITIONAL USE ☐ SPECIAL USE ☐ B.O.A. ☐ OTHER Owner's Name: Mailing Address: City/State/Zip: Telephone: 1920 Trang the Villages City/State/Zip: / Cell Phone: 1715 Email: (print clearly) 2357927 @ msn Contractor Phone: Contractor: Plumber: Plumber Phone: Authorized Agent: (Person Signing Application on behalf of Agent Phone: Agent Mailing Address (include City/State/Zip): Owner(s)) Required (for Agent) Tax ID# **PROJECT** Recorded Document: (Showing Ownership) Legal Description: (Use Tax Statement) LOCATION 4793 38644 ID Tax Vol & Page Gov't Lot Lot(s) CSM Lot(s) # Block # Subdivision: 1/4, 1/4 originally Gacres

itie ld

Town of:

If yes---continue -

If yes---continue -

| ☐ Non- Shoreland | | | | | , | |
|---|----------------------------|-------------------------|-----------------------|---------------------------------|--|------------------------------------|
| Value at Time of Completion * include donated time & material | Project | Project # of Stories | Project Foundation | Total # of bedrooms on property | What Type of Sewer/Sanitary System(s) Is on the property or Will be on the property? | Type of Water on property |
| | ☐ New Construction | ☐ 1-Story | ☐ Basement | □ 1 | ☐ Municipal/City | ☐ City |
| ¢ | ✓ Addition/Alteration | ☑ 1-Story + | ☐ Foundation | □ 2 | ☐ (New) Sanitary Specify Type: | □ Well |
| *1000 ° | ☐ Conversion | ☐ 2-Story | □ Slab | □ 3 | ☐ Sanitary (Exists) Specify Type: | |
| | ☐ Relocate (existing bldg) | | | | ☐ Privy (Pit) or ☐ Vaulted (min 200 gallon) | |
| | ☐ Run a Business on | | Use | □ None | ☐ Portable (w/service contract) | |
| | Property | | ☐ Year Round | 7/29 | ☐ Compost Toilet | i |

Existing Structure: (if addition, alteration or business is being applied for) 60 30 Proposed Construction: (overall dimensions) Length:

& Absis

| Proposed Use | 1 | Proposed Structure | | Dimensions | Square Footage |
|------------------|---|--|---|------------|-------------------|
| | | Principal Structure (first structure on property) | (| х) | . souge |
| | | Residence (i.e. cabin, hunting shack, etc.) | (| X) | |
| Residential Use | | with Loft | (| X) | |
| Residential Use | | with a Porch | (| X) | |
| Thurse | | with (2 nd) Porch | (| X) | |
| | | with a Deck | (| х) | |
| ☐ Commercial Use | | with (2 nd) Deck | (| х) | |
| _ commercial ose | | with Attached Garage | (| х) | |
| | | Bunkhouse w/ (\square sanitary, or \square sleeping quarters, or \square cooking & food prep facilities) | (| х) | |
| | | Mobile Home (manufactured date) | (| х) | |
| ☐ Municipal Use | | Addition/Alteration (explain) | (| х) | |
| | | Accessory Building (explain) | (| х) | |
| | P | Accessory Building Addition/Alteration (explain) ATF Rem 17 | (| х) | |
| | | Special Use: (explain) | (| 151X COUNT | 900 |
| | | Conditional Use: (explain) | (| 15jx cost | • |
| | | Other: (explain) | (| х) | |

I (we) declare that this application (including any accompanying information) has been examined by me (us) and to the best of my (our) knowledge and belief it is true, correct and complete. I (we) acknowledge that I (we) am (are) responsible for the detail and accuracy of all information I (we) am (are) providing and that it will be relied upon by Bayfield County in determining whether to issue a permit. I (we) further accept liability which may be a result of Bayfield County elling on this information I (we) am (are) providing in or with this application. I (we) consent to county officials charged with administering county ordinances to have access to the above described property at any reasonable time for the purpose of inspection.

| Owner(s): | Germanel | |
|-----------------------------------|---|------|
| (If there are Multiple Owners lis | ed on the Deed All Owners must sign or letter(s) of authorization must accompany this applicati | ion) |

(See Note below)

Authorized Agent:

(If you are signing on behalf of the owner(s) a letter of authorization must accompany this application)

Address to send permit

Copy of Tax Statement If you recently purchased the property send your Recorded Deed

Attach



APPLICANT - PLEASE COMPLETE PLOT

In the box below: Draw or Sketch your Property (regardless of what you are applying for)

Show Location of: (2)

Proposed Construction

Show / Indicate: North (N) on Plot Plan

(3) Show Location of (*): (*) **Driveway** and (*) **Frontage Road** (Name Frontage Road) Fill Out in Ink – NO PENCIL

(4)Show:

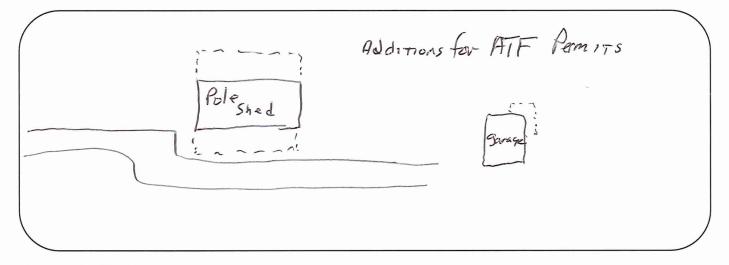
(5) Show:

All Existing Structures on your Property

(*) Well (W); (*) Septic Tank (ST); (*) Drain Field (DF); (*) Holding Tank (HT) and/or (*) Privy (P)

(6) Show any (*): (*) Lake; (*) River; (*) Stream/Creek; or (*) Pond

(*) Wetlands; or (*) Slopes over 20% (7)Show any (*):



Please complete (1) - (7) above (prior to continuing)

Changes in plans must be approved by the Planning & Zoning Dept.

(8) Setbacks: (measured to the closest point)

| Description | Setback Measurements | | | Description | Sett Measur | |
|---|-------------------------|------|----------------|--|----------------|------|
| | | | | | | |
| Setback from the Centerline of Platted Road | 876 | Feet | | Setback from the Lake (ordinary high-water mark) | - | Feet |
| Setback from the Established Right-of-Way | 843 | Feet | | Setback from the River, Stream, Creek | 43 | Feet |
| | | | | Setback from the Bank or Bluff | _ | Feet |
| Setback from the North Lot Line | 876 | Feet | | | | |
| Setback from the South Lot Line | 360 | Feet | | Setback from Wetland | - | Feet |
| Setback from the West Lot Line | 299 | Feet | | 20% Slope Area on the property | ☐ Yes | □ No |
| Setback from the East Lot Line | 310 | Feet | | Elevation of Floodplain | | Feet |
| Setback to Septic Tank or Holding Tank | | Feet | | Setback to Well | | Feet |
| Setback to Drain Field | | Feet | | Serback to well | | reet |
| Setback to Privy (Portable, Composting) | | Feet | N ^L | | | |

other previously surveyed corner or marked by a licensed surveyor at the owner's expense

to the placement or construction of a structure more than ten (10) feet but less than thirty (30) feet from the minimum required setback, the boundary line from which the setback must be measured must be visible from reviously surveyed corner to the other previously surveyed corner, or verifiable by the Department by use of a corrected compass from a known corner within 500 feet of the proposed site of the structure, or must be ed by a licensed surveyor at the owner's expense. Prior to the placement or construction of a structure more than ten (10) feet but less than thirty (30) feet from the minim

(9) Stake or Mark Proposed Location(s) of New Construction, Septic Tank (ST), Drain field (DF), Holding Tank (HT), Privy (P), and Well (W).

NOTICE(s):

All Land Use Permits Expire One (1) Year from the Date of Issuance if Construction or Use has not begun. For the Construction of New One & Two Family Dwelling: ALL Municipalities Are Required To Enforce The Uniform Dwelling Code. The local Town, Village, City, State or Federal agencies may also require permits.

If subject property is part of a Condominium Plat, applicant hereby certifies and represents that applicant has all necessary approvals and recorded documents required to complete the project for which this permit is sought including requirements set forth in Wisconsin statutes pertaining to condominium associations, the Declaration of the Condominium Association in which the property is located, and all other rules, regulations and requirements pertaining to that Condominium Association.

You are responsible for complying with state and federal laws concerning construction near or on wetlands, lakes, and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the department of natural resources wetlands identification web page or contact a department of natural resources service center (715) 685-2900.

| Issuance Information (County Use Only) | Sanitary Number: | | # of bedrooms: | Sanitary Date: | | | |
|---|---|--|----------------------------|---|--|--|--|
| Permit Denied (Date): | Reason for Denial: | | | | | | |
| Permit#: 22 . 0055 | Permit Date: | -2022 | | | | | |
| Is Parcel a Sub-Standard Lot Is Parcel in Common Ownership Is Structure Non-Conforming Yes (Deed of Recon Green Press (Fused/Contigue Yes | ous Lot(s)) 🗓 No | Mitigation Required Mitigation Attached | ☐ Yes ☐ No ☐ Yes ☐ No | Affidavit Required Affidavit Attached Yes No | | | |
| Granted by Variance (B.O.A.) ☐ Yes ✓ No Case #: | | Previously Granted by Ves No | y Variance (B.O.A.) Cas | e #: | | | |
| Was Parcel Legally Created Was Proposed Building Site Delineated ☐ Yes ☐ No | Were Property Lines Represented by Owner Was Property Surveyed Yes Yes | | | | | | |
| Date of Inspection: 2-1-22 | Inspected by: | CALLIII | tijon. | Zoning District (F /) Lakes Classification (3) Date of Re-Inspection: | | | |
| Condition(s): Town, Committee or Board Conditions Atta | ched? Yes No - (If | No they need to be atta | ached.) | 1 | | | |
| Structure not for huma | n liebitatio | ~ /sleeps. | ng purposes | . No pressurred | | | |
| Structure not for human his tation / sleeping purposes. No pressurized water or plumbing allowed inside structure must meet and maintain selbacks | | | | | | | |
| Signature of Inspector: Todd Novu | ord | | | Date of Approval: 2-17-22 | | | |
| Hold For Sanitary: 🗆 Hold For TBA: 🗆 _ | Hold For Affic | davit: 🗆 | Hold For Fees: | _ | | | |

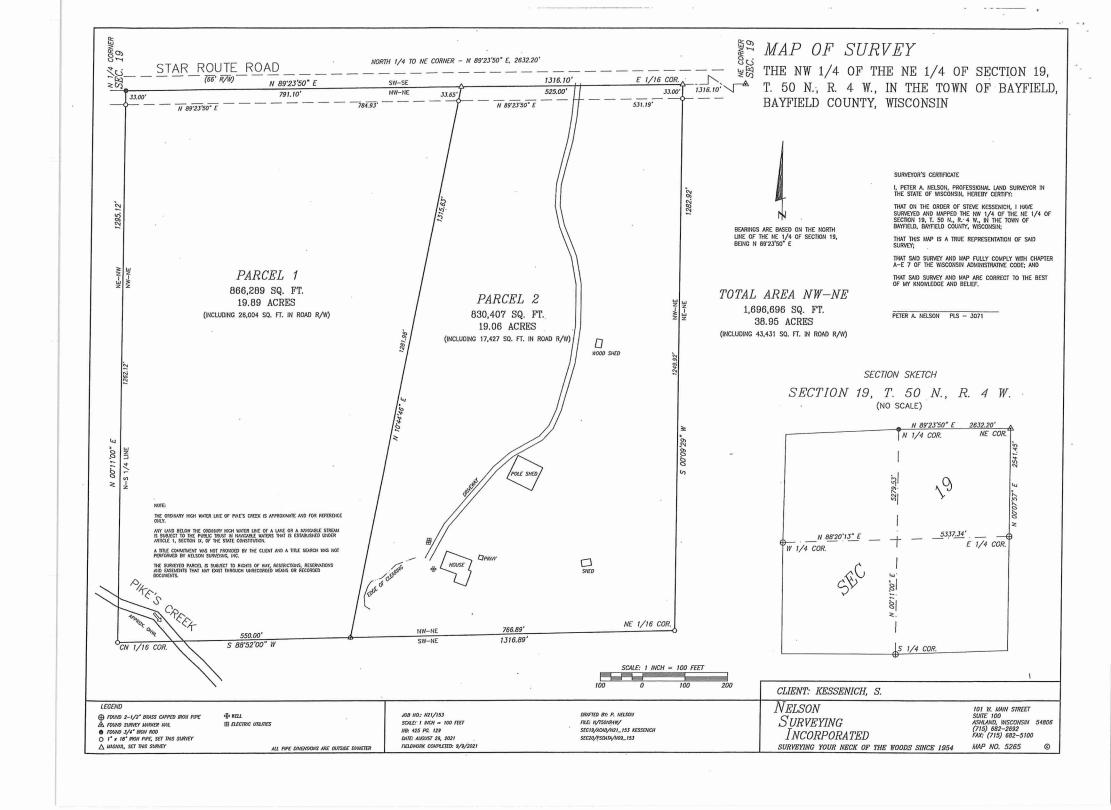
(®August 2021) ®®January 2000

Kessenich 2015 Ald Jam STEVEN LIKESSENICH Bayfield Section 19 Tax (10#) 4793 10/22/2021, 10:32:17 AM 1:783 Addition No permit Buildings Rivers Section Lines 0.01 0.03 mi 0.06 km Municipal Boundary Meander Lines Approximate Parcel Boundary Driveways

| | | | · · |
|--|--|--|-----|

Bayfield County, WI





PARCEL 2

A PARCEL OF LAND LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 19, T. 50 N., R. 4 W., IN THE TOWN OF BAYFIELD, BAYFIELD COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

TO LOCATE THE POINT OF BEGINNING, COMMENCE AT A 3/4" IRON ROD AT THE NORTH 1/4 CORNER OF SAID SECTION 19 AND RUN, N 89°23'50" E, 791.10 FEET ON THE NORTH LINE OF SAID SECTION 19, TO A MAGNAIL WHICH IS THE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING BY METES AND BOUNDS:

CONTINUE OF SAID NORTH LINE, N 89°23'50" E, 525.00 FEET TO A MAGNAIL AT THE NORTHEAST CORNER OF SAID NW 1/4 OF THE NE 1/4. THENCE LEAVING SAID NORTH LINE AND ON THE EAST LINE OF SAID NW 1/4 OF THE NE 1/4, S 00°09'29" W, 1282.92 FEET TO A 1" IRON PIPE AT THE SOUTHEAST CORNER OF SAID NW 1/4 OF THE NE 1/4. THENCE LEAVING SAID EAST LINE AND ON THE SOUTH LINE OF SAID NW 1/4 OF THE NE 1/4, S 88°52'00" W, 766.89 FEET TO A 1" IRON PIPE. THENCE LEAVING SAID SOUTH LINE, N 10°44'46" E, 1315.63 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 830,407 SQUARE FEET WHICH IS 19.06 ACRES, INCLUDING 17,427 SQUARE FEET, LYING WITHIN THE RIGHT OF WAY OF STAR ROUTE ROAD.

SAID PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD OR USE, IF ANY.

FILED 03-14-2022 Clerk of Court Bayfield County 2021CX000041

DATE SIGNED: March 14, 2022

STATE OF WISCONSIN Circuit Court Judge IT COURT

BAYFIELD COUNTY

BAYFIELD COUNTY, a political Subdivision of the State of Wisconsin 117 East Fifth Street Washburn, WI 54891,

vs.

Plaintiff,

STIPULATION FOR ORDER AND ORDER

Code: 30703

STEVEN L. KESSENICH 31715 Star Route Road

Bayfield, WI 54814

Defendant.

IT IS HEREBY STIPULATED, by and between the parties in the above-titled matters that the court may enter the following order both matters without further notice to any party:

- 1. The defendant hereby enters a plea of no contest on count 1 in the above-referenced action. If a plea of not-guilty has already been entered, the defendant who entered that plea hereby agrees to withdraw that plea and enter a plea of no contest.
- 2. Counts 2, 3 and 4 are dismissed.
- 3. As to count 1, the Court may impose a forfeiture of \$9,350, together with costs of \$2,652 against the defendant, for a total of \$12,002.00 against the defendant, to be paid sixty (60) days of the Order.
- 4. As to Count 5, the court may impose an injunction requiring the Defendant to obtain after-the-fact permits for the expansion of the Garage building as identified in the Complaint, the Storage building as identified in the Complaint, a privy located on the property that was found after the filing of the complaint, and a 12' X 22.5' shed found on the property after the filing of the complaint and further requiring that no structure on the property identified in the complaint may be used for human habitation.

Steven Kessenich, Defendant

Date

Linda I. Coleman, Attorney for

Bayfield County Zoning Department

Date

ORDER

Based upon the above Stipulation, IT IS ORDERED AND DECREED AS FOLLOWS:

- 1. As to Count 1, a forfeiture is hereby imposed against the defendant in the amount of \$9,350 which shall be paid to the Bayfield County Clerk of Court within 60 days of this Order.
- 2. Costs are assessed against the defendant in the amount of \$2,652, which shall be paid to the Bayfield County Clerk of Court within 60 days of this Order.
- 3. Counts 2, 3 and 4 are dismissed.
- 4. The Defendant shall obtain after-the-fact permits for the expansion of the Garage building as identified in the Complaint, the Storage building as identified in the Complaint, a privy located on the property that was found after the filing of the complaint, and a 12' X 22.5' shed found on the property after the filing of the complaint and further requiring that no structure on the property identified in the complaint may be used for human habitation.

Page 1 of 7

FILED 10-25-2021 Clerk of Court Bayfield County 2021CX000041

STATE OF WISCONSIN

CIRCUIT COURT

BAYFIELD COUNTY

BAYFIELD COUNTY, a political Subdivision of the State of Wisconsin

117 East Fifth Street Washburn, WI 54891,

SUMMONS

VS.

Plaintiff,

STEVEN L. KESSENICH

31715 Star Route Road Bayfield, WI 54814

Defendant.

Code: 30703

THE STATE OF WISCONSIN

To: Steven L. Kessenich 31715 Star Route Road Bayfield, WI 54814

You are hereby notified that the Plaintiff above named has filed a lawsuit or other legal action against you. The Complaint, which is attached, states the nature and basis of the legal action.

Within twenty (20) days of receiving this Summons, you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the Complaint. The court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the Court, whose address is: Clerk of Court, Bayfield County Courthouse, 117 East Fifth Street, Washburn, Wisconsin 54891, and to Linda I. Coleman, Plaintiff's attorney, whose address is Spears, Carlson & Coleman, 122 West Bayfield Street, Washburn, Wisconsin 54891. You may have an attorney help or represent you.

If you do not provide a proper answer within twenty (20) days, the Court may grant judgment against you or the award of money or other legal action requested in the Complaint, and you may lose your right to object to anything that is or may be incorrect in the Complaint. The judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated this 25 day of October, 2021

SPEARS, CARLSON & COLEMAN, by

Linda I. Coleman, SBN 1088532

Bayfield County Corporation Counsel Attorneys for the Plaintiff, Bayfield County

122 West Bayfield Street

Washburn, WI 54891 (715) 373-2628

FILED 10-25-2021 Clerk of Court Bayfield County 2021CX000041

STATE OF WISCONSIN

CIRCUIT COURT

BAYFIELD COUNTY

BAYFIELD COUNTY, a political Subdivision of the State of Wisconsin 117 East Fifth Street Washburn, WI 54891,

VS.

Plaintiff.

STEVEN L. KESSENICH 31715 Star Route Road Bayfield, WI 54814

COMPLAINT

Code: 30703

Defendant.

The above named plaintiff, Bayfield County, by its attorneys, Spears, Carlson & Coleman, by Linda I. Coleman, Bayfield County Corporation Counsel, as and for its claims against the above-named defendant, alleges and shows to the Court as follows:

FIRST CAUSE OF ACTION

- 1. Plaintiff is a political subdivision of the State of Wisconsin with its principal offices located at 117 East Fifth Street, Washburn, Wisconsin.
- 2. The defendant, upon information and belief, an adult resident of the state of Wisconsin residing at 31715 Star Route Road in Bayfield, Wisconsin.
- 3. The defendant, Steven Kessenich, is the owner of the following described real estate located in Bayfield County, State of Wisconsin, hereinafter the "Kessenich Property":
 - The Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼), Section Nineteen (19), Township Fifty (50) North, Range Four (4) West, Town of Bayfield, Bayfield County, Wisconsin.
- 4. On January 9, 2007, defendant was issued a sanitary permit to install a non-pressurized in-ground system on the Kessenich Property.
- 5. The sanitary permit issued to defendant expired on January 9, 2009.

- 6. The sanitary permit issued to defendant was never renewed and, by its terms, expired approximately 12.5 years ago.
- 7. On January 23, 2007, plaintiff received an application from defendant for a permit for an accessory building, namely a garage, which was represented to have no sanitary connection and be 1800 square feet in area (hereinafter "Garage").
- 8. The Garage permit was granted on the condition that "Structure may not be used for human habitation or living space unless the zoning and sanitary requirements are satisfied."
- 9. On July 7, 2010, plaintiff received an application from defendant for another accessory building, this time a storage building, which was represented to have no sanitary connection and be 1800 square feet in area (hereinafter "Storage").
- 10. The Kessenich Property, upon information and belief, is presently listed for sale and is represented as having 2 bedrooms and a partial bath in a 2,700 square foot building as well as a 60'X60' "pole barn" (60' X 60' being 3,600 square feet).
- 11. Upon information and belief, the original Garage has been expanded to be 2,700 square feet rather than 1,800 square feet.
- 12. Upon information and belief, the original Garage contains a bathroom and living space, despite the fact the permit authorizing said structure prohibited the same.
- 13. Upon information and belief, the Storage building has been expanded to be 3,600 square feet rather than the 1,800 square feet that was permitted.
- 14. Upon information and belief, there is no sanitary permit in effect on the Kessenich Property but there is a bathroom that is being or has been used without a permit.
- 15. Pursuant to Bayfield County Zoning Ordinance Section 13-1-21(b)(1), a land use permit shall be required for any new residence, as well as any building or structure that is structurally altered.
- 16. Defendant does not have a permit for a residence nor a permit to expand the Garage beyond 1,800 square feet.

- 17. Based upon a review of air photography, it appears that the Garage was expanded without a permit on or before December 31, 2015.
- 18. Section 13-1-103(c) of the Bayfield County Zoning Ordinance provides:

Penalty. Any person, firm, or corporation and/or contractor found guilty of violating any provision of this Chapter shall forfeit a sum of not less than \$25.00 nor more than \$500.00, together with the full costs of such prosecution, plus the costs of any compliance required to rectify the violation. Each day's failure to comply shall constitute a separate violation.

19. Based upon defendant's violation as set forth above, the defendant is indebted to the plaintiff in the amount of not less than \$25.00, nor more than \$500.00, per day for each day the aforesaid violation continues from the date that the Garage on the Kessenich Property was expanded without a permit, which was no later than December 31, 2015.

SECOND CAUSE OF ACTION

- 20. Plaintiff realleges and incorporates paragraphs 1-19, above.
- 21. Pursuant to Bayfield County Zoning Ordinance Section 13-1-21(b)(1), a land use permit shall be required for any new residence, as well as any building or structure that is structurally altered.
- 22. Defendant does not have a permit to expand the Storage beyond 1,800 square feet.
- 23. Based upon a review of air photography, it appears that the Storage building was expanded without a permit on or before December 31, 2015.
- 24. Section 13-1-103(c) of the Bayfield County Zoning Ordinance provides:

Penalty. Any person, firm, or corporation and/or contractor found guilty of violating any provision of this Chapter shall forfeit a sum of not less than \$25.00 nor more than \$500.00, together with the full costs of such prosecution, plus the costs of any compliance required to rectify the violation. Each day's failure to comply shall constitute a separate violation.

25. Based upon defendant's violation as set forth above, the defendant is indebted to the plaintiff in the amount of not less than \$25.00, nor more than \$500.00, per day for each day the aforesaid violation continues from the date that the Storage building on the

Kessenich Property was expanded without a permit, which was no later than December 31, 2015.

THIRD CAUSE OF ACTION

- 26. Plaintiff realleges and incorporates paragraphs 1-25, above.
- 27. Upon information and belief, the defendant is residing in the Garage and has done so since April 23, 2009.
- 28. Pursuant to Bayfield County Zoning Ordinance Section 13-1-21(b)(1), a land use permit shall be required for any new residence, as well as any building or structure that is structurally altered or any change in use of the land or where any use of the land is altered.
- 29. Section 13-1-103(c) of the Bayfield County Zoning Ordinance provides:

Penalty. Any person, firm, or corporation and/or contractor found guilty of violating any provision of this Chapter shall forfeit a sum of not less than \$25.00 nor more than \$500.00, together with the full costs of such prosecution, plus the costs of any compliance required to rectify the violation. Each day's failure to comply shall constitute a separate violation.

30. Based upon defendant's violation as set forth above, the defendant is indebted to the plaintiff in the amount of not less than \$25.00, nor more than \$500.00, per day for each day the aforesaid violation continues from the date that the Garage building was used as a residence without a permit, which, upon information and belief, began no later than April 23, 2009.

FOURTH CAUSE OF ACTION

- 31. Plaintiff realleges and incorporates paragraphs 1-30, above.
- 32. Upon information and belief, the Garage on the Kessenich Property is designed for independent human habitation and is not serviced by a public sewer.
- 33. Section 15-1-7 of the Bayfield County Zoning Ordinance provides as follows:

All structures or premises in the County that are permanently or intermittently intended for human habitation or occupancy, which are not serviced by a public sewer, shall have a system for holding or treatment and dispersal of sewage and wastewater which complies with the provisions of this ordinance.

- 34. The defendant does not have a system for holding or treatment and dispersal of sewage and wastewater which complies with the provisions of the Bayfield County Ordinances to serve the Garage.
- 35. Section 15-1-23(a) of the Bayfield County Zoning Ordinance provides as follows:
 - Violations of the provisions of this ordinance and subject to the terms of Section 1-1-6, Chapter 1-2 and Section 13-1-103 of the Bayfield County Code of Ordinance.
- 36. Section 13-1-103(c) of the Bayfield County Zoning Ordinance provides as follows:
 - Penalty. Any person, firm, or corporation and/or contractor found guilty of violating any provision of this Chapter shall forfeit a sum of not less than \$25.00 nor more than \$500.00, together with the full costs of such prosecution, plus the costs of any compliance required to rectify the violation. Each day's failure to comply shall constitute a separate violation.
- 37. Based upon defendant's violations as set forth above, the defendant is indebted to the plaintiff in the amount of not less than \$25.00, nor more than \$500.00, per day for each day the aforesaid violation continues from the date that the Garage was intended for human habitation and lacked a sanitary permit which, upon information and belief, began on or before April 23, 2009.

FIFTH CAUSE OF ACTION

- 38. Plaintiff realleges and incorporates paragraphs 1-37, above.
- 39. Upon information and belief, the violations referred to above will continue until appropriate injunctive relief is granted.

WHEREFORE, plaintiff requests judgment as follows:

- 1. With respect to its first cause of action, a judgment of forfeiture against the defendant of not less than \$25.00 per day nor more than \$500.00 per day for each day that the violation alleged in the complaint continues, commencing on the date that the Garage was expanded without a permit which occurred no later than December 31, 2015.
- 2. With respect to its second cause of action, a judgment of forfeiture against the defendant of not less than \$25.00 per day nor more than \$500.00 per day for each day that the violation alleged in the complaint continues, commencing on the date that the Storage building was expanded without a permit which occurred no later than December 31, 2015.
- 3. With respect to its third cause of action, a judgment of forfeiture against the defendant of not less than \$25.00 per day nor more than \$500.00 per day for each day that the violation alleged in the complaint continues, commencing on the date that the

- Garage was used for human habitation which, upon information and belief, began no later than April 23, 2009.
- 4. With respect to its fourth cause of action, a judgment of forfeiture against the defendant of not less than \$25.00 per day nor more than \$500.00 per day for each day that the violation alleged in the complaint continues, commencing on the date that the Garage was intended for human habitation and lacked a sanitary permit which, upon information and belief, began on or before April 23, 2009
- 5. With respect to its fifth cause of action, an injunction requiring the defendant to remove any expansion of the Garage or Storage building, or apply for and obtain an after-the-fact permit for such expansion; an injunction requiring the defendant to cease using the Garage for human habitation or apply for and obtain a permit to use the same as a residence; and an injunction requiring the defendant to remove any unpermitted private wastewater system on the Kessenich Property or obtain an after-the-fact permit to maintain a system
- 6. Plaintiff's costs, disbursements and fees incurred herein.
- 7. Such other relief as may be just and appropriate.

Dated this 25 Day of October, 2021.

SPEARS, CARLSON & COLEMAN, by

Linda I. Coleman, State Bar No. 1088532

Bayfield County Corporation Counsel

Attorneys for the plaintiff, Bayfield County

122 West Bayfield Street

Washburn, WI 54891

(715) 373-2628

Billing Address:

Real Estate Bayfield County Property Listing

Today's Date: 2/2/2022

Property Status: Next Year

Created On: 10/25/2021 11:30:30 AM

| Description | Updated: 10/25/2021 |
|-------------|----------------------------------|
| Tax ID: | 38644 |
| PIN: | 04-006-2-50-04-19-1 02-000-20000 |
| | |

Legacy PIN: Map ID:

Municipality: (006) TOWN OF BAYFIELD STR:

Description:

S19 T50N R04W NW NE IN V.958 P.823 LESS PAR IN DOC

2021R-591146

Recorded Acres: Calculated Acres: Lottery Claims:

First Dollar:

ESN:

19.610 19.610 0 No

105

Tax Districts Updated: 10/25/2021 1 STATE 04 COUNTY 006 TOWN OF BAYFIELD 040315 SCHL-BAYFIELD 001700 TECHNICAL COLLEGE

Recorded Documents WARRANTY DEED

Date Recorded: 9/27/2021 2021R-591146

WARRANTY DEED

Date Recorded: 11/22/2006 2006R-510659 958-823

■ WARRANTY DEED

Date Recorded: 7/10/2006 2006R-507743 948-218

CONVERSION

Date Recorded:

706-369

Updated: 3/15/2006

Ownership STEVEN L KESSENICH

Updated: 10/25/2021 HARRISON NE

Mailing Address:

STEVEN L KESSENICH STEVEN L KESSENICH 469 WHITE RIVER RD 469 WHITE RIVER RD HARRISON NE 69346 HARRISON NE 69346

Site Address * indicates Private Road

31715 STAR ROUTE RD BAYFIELD 54814

| Property Assessment | Updated: N/A | | | |
|--|--------------|------|--------------|--|
| 2021 Assessment Detail Code N/A | Acres | Land | Imp. | |
| 2-Year Comparison Land: | 2020 | 2021 | Change | |
| Improved: | 0 | 0 | 0.0% 0.0% | |
| Total: | 0 | 0 | 0.0% | |

Property History **Parent Properties** Tax ID 04-006-2-50-04-19-1 02-000-10000 <u>4793</u>

HISTORY ■ Expand All History

White=Current Parcels

Pink=Retired Parcels

Tax ID: 4793 Pin: 04-006-2-50-04-19-1 02-000-10000 Leg. Pin: 006104206000 Parents 38644 This Parcel Children

Town, City, Village, State or Federal Permits May Also Be Required

Court Case

LAND USE - X (2021CX000041)

SANITARY -

SIGN -

SPECIAL -

CONDITIONAL -

BOA -

BAYFIELD COUNTY PERMIT

WEATHERIZE AND POST THIS PERMIT ON THE PREMISES DURING CONSTUCTION

No.

22-0055

Issued To:

Steven Kessenich

Par in

Location: NW 1/4 of NE 1/4 Section 19 Township 50 N. Range 4 W. Town of Bayfield

In V. 958 P. 823 LESS par in Doc #2021R-591146

Gov't Lot

Lot

Block

Subdivision

CSM#

After-the Fact Residential Accessory Structure Addition (East Side of Pole Bldg)

For:

[1-Story]; Storage Structure Addition (60' x 15') = 900 sq. ft.] Height of 10 feet

(Disclaimer): Any future expansions or development would require additional permitting.

Condition(s): Court Order requires this structure located on the property identified as part of the complaint may not be used for human habitation.

Must meet and maintain setbacks. No pressurized water may enter the structure.

You are responsible for complying with state and federal laws concerning construction near or on wetlands, lakes, and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the department of natural resources wetlands identification web page or contact a department of natural resources service center (715) 685-2900.

NOTE: This permit expires one year from date of issuance if the authorized construction work or land use has not begun.

Changes in plans or specifications shall not be made without obtaining approval. This permit may be void or revoked if any of the application information is found to have been misrepresented, erroneous, or incomplete.

This permit may be void or revoked if any performance conditions are not completed or if any prohibitory conditions are violated.

Todd Norwood, AZA

Authorized Issuing Official

April 20, 2022

Date

SUBMIT: COMPLETED APPLICATION, TAX STATEMENT AND FEE TO:

Bayfield County Planning and Zoning Depart. PO Box 58 Washburn, WI 54891 (715) 373-6138



Date Stamp (Received)

JAN 0 4 2022

Bayfield Co.

| | | E |
|--------------|-------------------|----------|
| Permit #: | 23-0051 | CAED |
| Date: | | |
| Amount Paid: | \$75.00 Res accis | Buil JIG |
| Other: | | |
| Refund: | | |

INSTRUCTIONS: No permits will be issued until all fees are paid. Checks are made payable to: Bayfield County Zoning Department.

| TYPE OF PERMIT Owner's Name: | | | | | O APPLICANT. Origin | | | | | (NO PENCIL) | |
|---|---|---|--|--|--|---|---|---------------------------------------|---|---|--|
| Wher's Name. | REQUESTE | D + | LAN | | | CONDITIONAL US | SE SPECIAL U | JSE 🗆 E | .O.A. 🗆 OTH | IER | |
| STRVEN | 1 6 | (000 | / | | g Address: | | ity/State/Zip: | | Te | lephone: | |
| Address of Proper | rty: | 125 | senich | /920 | Tranguility | 14 7 | he Village | 5,123: | 2/62 | | |
| 31715 | STAR | RT | RD | 5 | BAY FIELD | WI 54 | 314 | | | Il Phone: | |
| mail: (print clea | arly) Ke.o | 7500 | @ msr | 7. com | 1) | 14.1 | , | | | 357921 | |
| ontractor: | S | elf | i birbil | | actor Phone: | Plumber: | , | | | imber Phone: | |
| uthorized Agent wner(s)) | : (Person Sig | ning Appli | cation on behal | lf of Agent | Phone: | Agent Mailing Ad | dress (include City, | /State/Zip): | | ritten Authorization | |
| PROJECT LOCATION | Legal Description: (Use Tax Statement) Tax ID# Skl-44 Tax ID 4793 Recorded Document: (Showing Ownership) 2021 R 591146 | | | | | | | | | | |
| NW 1/4, | V E 1/4 | Go | v't Lot | Lot(s) CSM | Vol & Page CSM Do | | | Subdivisio | | | |
| Section <u>19</u> | , Towns | hip <u>50</u> | N, Ran | nge <u>04</u> w | Town of: Ba | rfield | | Lot Size | | Acreage 19, lola (res | |
| | Croole | 1 | and state of | 300 feet of River, Str Floodplain? | eam (incl. Intermittent) | (' | cture is from Shor | | Is your Proper | ty Are Wetlands | |
| Shoreland | ls Pro | pertv/L | and within 1 | 1000 feet of Lake, Po | and or Flowage | Distance Chu. | 1924 C. C. L. N. L. | feet | Zone? | Present? | |
| | | ,, - | | If | yescontinue> | Distance Stru | cture is from Shor | reline : feet | ☐ Yes | ☐ Yes — No | |
| Non- | | | | | | | | | □ No | | |
| horeland | | | | | i de la companya de l | | | | | | |
| Value at Time | | | | The state of the s | a premionitation | L 192 | | P. Oppli. | | | |
| of Completion | rings of | | | Project | Project | Total # of | | What Ty | | Type of | |
| * include donated time | A VEG | Projec | ct | # of Stories | Foundation | bedrooms | Sewe | r/Sanitar | y System(s) | Water | |
| & material | | | | | Touridation | property | | on the pro | property? | on | |
| | □ New | Constr | uction | ☐ 1-Story | ☐ Basement | □ 1 | ☐ Municipal/ | | property: | property | |
| |)7 (Addi | tion/Al | torotion | 1-Story + | des land on the | 7 | ☐ (New) Sani | | ify Type: | ☐ City | |
| | Audi | Addition/Alteration | | | □ Foundation □ 2 | | | , ope. | J | | |
| 7000.00 | □ Conv | ersion | □ 2-Story □ Slab O | | | ☐ 3 ☐ Sanitary (Exists) Specify Type | | | | | |
| | □ Polo | +-/ | | Stab (1575) | | | | | | | |
| | | cate (ex a Busin | isting bldg) | | | | | | or U Vaulted (min 200 gallon) | | |
| | Prop | | ess on | | Use ☑ Year Round | □ None | ☐ Portable (w | | ontract) | | |
| | | , | | | Poss | 100 | ☐ Compost T | oilet | | | |
| 45 | ing time | 10.7 | A.1 (15) | Tay a read of the territory | | | □ None | | | | |
| xisting Struct | ure: (if add | dition, alt | eration or bu | usiness is being applied | d for) Length: (c | 00 ft | Width: 30 | ft Ut | Height: | 15H | |
| roposed Con | struction: | (overa | all dimension | ns) | Length: 60 | oft. | Width: 15 | pt | Height: | 10 st | |
| D1 | | -V-1 | | | the state of the s | | | | | U | |
| Proposed | | , | all sections of | | | | | | | | |
| Alka in a | Use | 1 | P True | | Proposed Structu | | | D | imensions | Square Footage | |
| | Use | | | | ructure on property) | | vinca | D (| imensions X) | Square Footage | |
| | Virginia A | Hite | | ce (i.e. cabin, hunti | ructure on property) | | vine a | ((| | | |
| | Virginia A | | | ce (i.e. cabin, hunti with Loft | ructure on property) | | | ((| х) | | |
| | Virginia A | | | ce (i.e. cabin, hunti with Loft with a Porch | cructure on property) ing shack, etc.) | | 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | (((| X) X) X) X) | | |
| | Virginia A | | | ce (i.e. cabin, hunti with Loft with a Porch with (2 nd) Porc | cructure on property) ing shack, etc.) | | | ((((| X) X) X) X) X) | | |
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| Residenti | al Use | | Residenc | with Loft with a Porch with (2 nd) Porc with a Deck with (2 nd) Deck with Attached use w/ (sanitary, | ing shack, etc.) h Garage or Sleeping quarters | , <u>or</u> □ cooking & | | | X) X) X) X) X) X) X) X) X) X) | | |
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| Residenti Stora que Commerce Municipal | al Use sial Use I Use | | Bunkhou Mobile H Addition, Accessor Special U Conditior Other: (e) | with Loft with a Porch with (2 nd) Porc with a Deck with (2 nd) Deck with Attached use w/ (sanitary, glome (manufacture) /Alteration (explain) y Building (explain) y Building Additio (se: (explain) | tructure on property) ing shack, etc.) h Garage or sleeping quarters d date) n) n/Alteration (explain | y or □ cooking & ATF Per WITHOUT A PERMIT est of my (our) knowled | WILL RESULT IN PEN | (((((((((((((((((((| X) X) X) X) X) X) X) X) X) X) | Footage | |
| Residenti Storage Commerce Municipa (we) declare that the are) responsible for result of Bayfield Couroperty at any reasc | al Use cial Use Use Use is application (the detail and unity yelving on | including a accuracy of this information. | Bunkhou Mobile H Addition, Accessor Special U Conditior Other: (e) FAILURE TO ny accompanyin; all information fiction (me) and | with Loft with a Porch with (2 nd) Porc with a Deck with (2 nd) Deck with Attached use w/ (sanitary, glome (manufactured) Alteration (explain) y Building Addition (se: (explain) | h Garage or sleeping quarters d date) n n/Alteration (explain TARTING CONSTRUCTION amined by me (us) and to the bid that it will be relied upon by this application. I (we) consent the | WITHOUT A PERMIT est of my (our) knowled Bayfield County in dete to county officials charge | WILL RESULT IN PEN Ige and belief it is true, or ermining whether to issued with administering or | (((((((((((((((((((| X) X) X) X) X) X) X) X) X) X) | Footage | |
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(See Note below) (If you are signing on behalf of the owner(s) a letter of authorization must accompany this application) Date_ Attach
Copy of Tax Statement
If you recently purchased the property send your Recorded Deed Address to send permit 1920

In the box below: Draw or Sketch your Property (regardless of what you are applying for)

(1) (2)Show / Indicate:

Show Location of (*):

Proposed Construction Show Location of:

North (N) on Plot Plan (*) Driveway and (*) Frontage Road (Name Frontage Road) Fill Out in Ink - NO PENCIL

Show: (4)

(3)

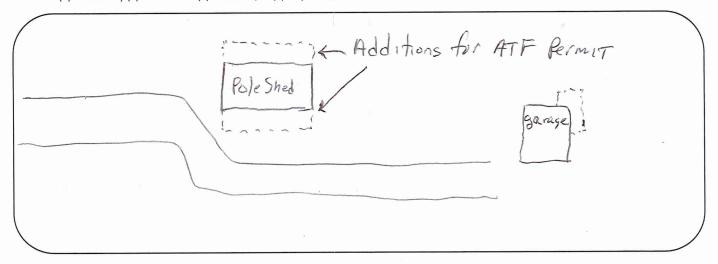
Show: (5)

All Existing Structures on your Property (*) Well (W); (*) Septic Tank (ST); (*) Drain Field (DF); (*) Holding Tank (HT) and/or (*) Privy (P)

Show any (*): (6)

(*) Lake; (*) River; (*) Stream/Creek; or (*) Pond

(*) Wetlands; or (*) Slopes over 20% Show any (*): (7)



Please complete (1) - (7) above (prior to continuing)

Changes in plans must be approved by the Planning & Zoning Dept.

(8) Setbacks: (measured to the closest point)

| Description | Setback Measurements | | Description | Setb Measure | | |
|---|-------------------------|------|--|-----------------|------|--|
| | | | | | | |
| Setback from the Centerline of Platted Road | 874 | Feet | Setback from the Lake (ordinary high-water mark) | College | Feet | |
| Setback from the Established Right-of-Way | 843 | Feet | Setback from the River, Stream, Creek | 425 | Feet | |
| | | | Setback from the Bank or Bluff | | Feet | |
| Setback from the North Lot Line | 874 | Feet | - | | | |
| Setback from the South Lot Line | 360 | Feet | Setback from Wetland | | Feet | |
| Setback from the West Lot Line | 299 | Feet | 20% Slope Area on the property | ☐ Yes | □ No | |
| Setback from the East Lot Line | 310 | Feet | Elevation of Floodplain | | Feet | |
| Called to Carlo Tarley Halling Tarley | | Foot | Setback to Well | | Feet | |
| Setback to Septic Tank or Holding Tank | | Feet | Setback to Well | | reet | |
| Setback to Drain Field | - | Feet | | | | |
| Setback to Privy (Portable, Composting) | _ | Feet | | | | |

placement or construction of a structure within ten (10) feet of usly surveyed corner or marked by a licensed surveyor at the over

Prior to the placement or construction of a structure more than ten (10) feet but less than thirty (30) feet from the minimum required setback, the boundary line from which the setback must be measured must be visible from one previously surveyed corner to the other previously surveyed corner, or verifiable by the Department by use of a corrected compass from a known corner within 500 feet of the proposed site of the structure, or must be marked by a licensed surveyor at the owner's expense

(9) Stake or Mark Proposed Location(s) of New Construction, Septic Tank (ST), Drain field (DF), Holding Tank (HT), Privy (P), and Well (W).

NOTICE(s):

®®January 2000

All Land Use Permits Expire One (1) Year from the Date of Issuance if Construction or Use has not begun. For the Construction of New One & Two Family Dwelling: <u>ALL Municipalities Are Required To Enforce The Uniform Dwelling Code.</u> The local Town, Village, City, State or Federal agencies may also require permits.

If subject property is part of a Condominium Plat, applicant hereby certifies and represents that applicant has all necessary approvals and recorded documents required to complete the project for which this permit is sought including requirements set forth in Wisconsin statutes pertaining to condominium associations, the Declaration of the Condominium Association in which the property is located, and all other rules, regulations and requirements pertaining to that Condominium Association.

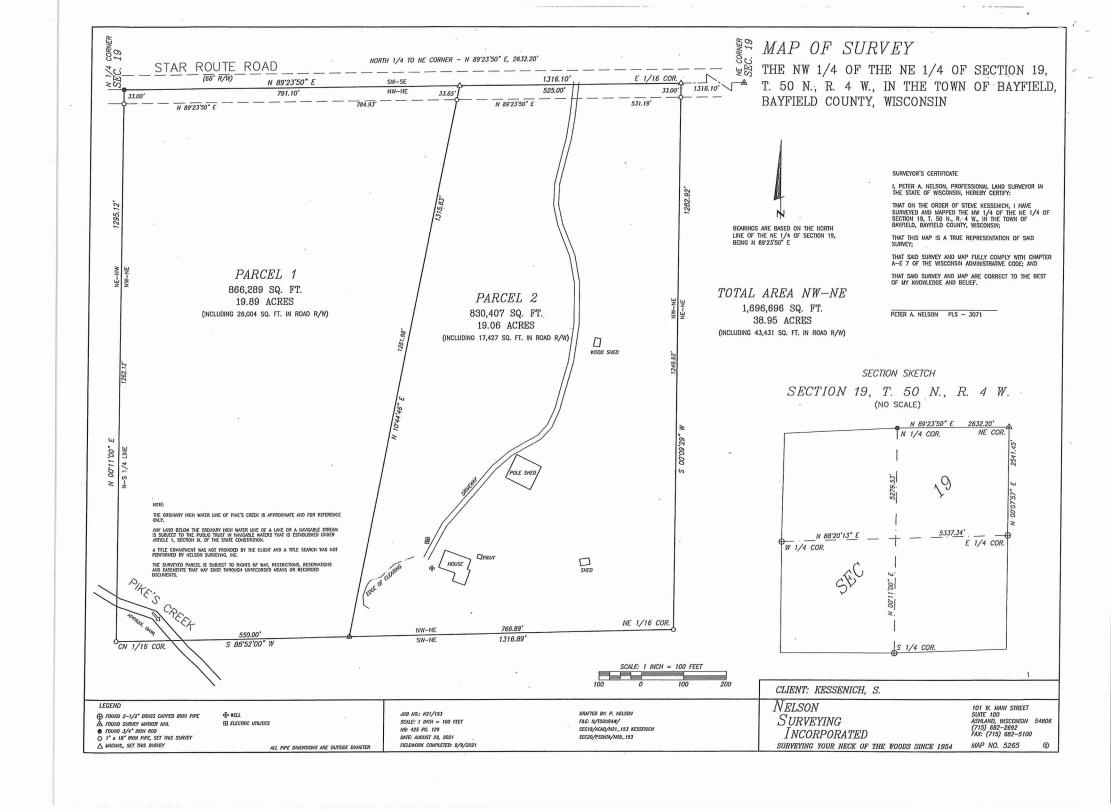
You are responsible for complying with state and federal laws concerning construction near or on wetlands, lakes, and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the department of natural resources wetlands identification web page or contact a department of natural resources service center (715) 685-2900.

| Issuance Information (County Us | e Only) Sanitary N | umber: | | # of bedrooms: | Sanitary Date: |
|---|--|--|--|---|--|
| Permit Denied (Date): | Reason for | Denial: | | | |
| Permit #: | Permit Dat | e: | I Company | | THE RESERVE TO SECURITION OF THE PERSON OF T |
| Is Parcel in Common Ownership | (Deed of Record) (Fused/Contiguous Lot(s)) | No No No | Mitigation Required Mitigation Attached | | Affidavit Required |
| Granted by Variance (B.O.A.) ☐ Yes ☐ No Case #: | | | Previously Granted by ☐ Yes ☐ No | y Variance (B.O.A.) Case | #: |
| Was Parcel Legally Created Was Proposed Building Site Delineated | | Were Property Lines Represented by Owner Was Property Surveyed Yes Yes | | | |
| Inspection Record: Existing Po | Zoning District (下 1) Lakes Classification (3) | | | | |
| Date of Inspection: | Ull Unspected | by: 10 | ed Nono | rd | Date of Re-Inspection: |
| Condition(s): Town Committee or Board | Conditions Attached? Ve | s No-(If N | o they need to be atta | ached.) | pressurized |
| Structure not for I water or pirm bing | allowed insid | e store | tree. Mus | t neet an | d maintain |
| Setbacks. | | | | Landiday (ATL Most) | The state of the s |
| Signature of Inspector: | Somo | AND DESCRIPTION OF THE PARTY OF | A THAT MERITAL PARTY | PERSONAL PROPERTY AND PROPERTY | Date of Approval: |
| Hold For Sanitary: Hold | For TBA: 🔲 | Hold For Affida | avit: 🗆 | Hold For Fees: 🗆 | _ □ |

Kessenich 2015 A 13.11.W A 13.11.W Perm/4 STEVEN LASSENICH Tax IDD 4769 Bayfield Section 19 10/22/2021, 10:32:17 AM 1:783 Addition No permit 0.01 Section Lines Buildings 0.03 mi Rivers 0.06 km Municipal Boundary Meander Lines Approximate Parcel Boundary Driveways

Bayfield County, WI





PARCEL 2

A PARCEL OF LAND LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 19, T. 50 N., R. 4 W., IN THE TOWN OF BAYFIELD, BAYFIELD COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

TO LOCATE THE POINT OF BEGINNING, COMMENCE AT A 3/4" IRON ROD AT THE NORTH 1/4 CORNER OF SAID SECTION 19 AND RUN, N 89°23'50" E, 791.10 FEET ON THE NORTH LINE OF SAID SECTION 19, TO A MAGNAIL WHICH IS THE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING BY METES AND BOUNDS:

CONTINUE OF SAID NORTH LINE, N 89°23'50" E, 525.00 FEET TO A MAGNAIL AT THE NORTHEAST CORNER OF SAID NW 1/4 OF THE NE 1/4. THENCE LEAVING SAID NORTH LINE AND ON THE EAST LINE OF SAID NW 1/4 OF THE NE 1/4, S 00°09'29" W, 1282.92 FEET TO A 1" IRON PIPE AT THE SOUTHEAST CORNER OF SAID NW 1/4 OF THE NE 1/4. THENCE LEAVING SAID EAST LINE AND ON THE SOUTH LINE OF SAID NW 1/4 OF THE NE 1/4, S 88°52'00" W, 766.89 FEET TO A 1" IRON PIPE. THENCE LEAVING SAID SOUTH LINE, N 10°44'46" E, 1315.63 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 830,407 SQUARE FEET WHICH IS 19.06 ACRES, INCLUDING 17,427 SQUARE FEET, LYING WITHIN THE RIGHT OF WAY OF STAR ROUTE ROAD.

SAID PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD OR USE, IF ANY.

Page 1 of 2

FILED 03-14-2022 Clerk of Court Bayfield County 2021CX000041

DATE SIGNED: March 14, 2022

STATE OF WISCONSIN Circuit Count Judge IT COURT

BAYFIELD COUNTY

BAYFIELD COUNTY, a political Subdivision of the State of Wisconsin 117 East Fifth Street Washburn, WI 54891,

vs.

Plaintiff,

STIPULATION FOR ORDER AND ORDER

STEVEN L. KESSENICH 31715 Star Route Road Bayfield, WI 54814

Defendant.

Code: 30703

IT IS HEREBY STIPULATED, by and between the parties in the above-titled matters that the court may enter the following order both matters without further notice to any party:

- 1. The defendant hereby enters a plea of no contest on count 1 in the above-referenced action. If a plea of not-guilty has already been entered, the defendant who entered that plea hereby agrees to withdraw that plea and enter a plea of no contest.
- 2. Counts 2, 3 and 4 are dismissed.
- 3. As to count 1, the Court may impose a forfeiture of \$9,350, together with costs of \$2,652 against the defendant, for a total of \$12,002.00 against the defendant, to be paid sixty (60) days of the Order.
- 4. As to Count 5, the court may impose an injunction requiring the Defendant to obtain after-the-fact permits for the expansion of the Garage building as identified in the Complaint, the Storage building as identified in the Complaint, a privy located on the property that was found after the filing of the complaint, and a 12' X 22.5' shed found on the property after the filing of the complaint and further requiring that no structure on the property identified in the complaint may be used for human habitation.

Steven Kessenich, Defendant

Date

Linda I. Coleman, Attorney for

Bayfield County Zoning Department

Date

ORDER

Based upon the above Stipulation, IT IS ORDERED AND DECREED AS FOLLOWS:

- 1. As to Count 1, a forfeiture is hereby imposed against the defendant in the amount of \$9,350 which shall be paid to the Bayfield County Clerk of Court within 60 days of this Order.
- 2. Costs are assessed against the defendant in the amount of \$2,652, which shall be paid to the Bayfield County Clerk of Court within 60 days of this Order.
- 3. Counts 2, 3 and 4 are dismissed.
- 4. The Defendant shall obtain after-the-fact permits for the expansion of the Garage building as identified in the Complaint, the Storage building as identified in the Complaint, a privy located on the property that was found after the filing of the complaint, and a 12' X 22.5' shed found on the property after the filing of the complaint and further requiring that no structure on the property identified in the complaint may be used for human habitation.

FILED 10-25-2021 **Clerk of Court Bayfield County** 2021CX000041

STATE OF WISCONSIN

CIRCUIT COURT

BAYFIELD COUNTY

BAYFIELD COUNTY, a political Subdivision of the State of Wisconsin 117 East Fifth Street Washburn, WI 54891,

SUMMONS

Code: 30703

vs.

Plaintiff,

STEVEN L. KESSENICH

31715 Star Route Road Bayfield, WI 54814

Defendant.

THE STATE OF WISCONSIN

To: Steven L. Kessenich 31715 Star Route Road Bayfield, WI 54814

You are hereby notified that the Plaintiff above named has filed a lawsuit or other legal action against you. The Complaint, which is attached, states the nature and basis of the legal action.

Within twenty (20) days of receiving this Summons, you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the Complaint. The court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the Court, whose address is: Clerk of Court, Bayfield County Courthouse, 117 East Fifth Street, Washburn, Wisconsin 54891, and to Linda I. Coleman, Plaintiff's attorney, whose address is Spears, Carlson & Coleman, 122 West Bayfield Street, Washburn, Wisconsin 54891. You may have an attorney help or represent you.

If you do not provide a proper answer within twenty (20) days, the Court may grant judgment against you or the award of money or other legal action requested in the Complaint, and you may lose your right to object to anything that is or may be incorrect in the Complaint. The judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated this 25 day of October, 2021

SPEARS, CARLSON & COLEMAN, by

Linda I. Coleman, SBN 1088532

Bayfield County Corporation Counsel

Attorneys for the Plaintiff, Bayfield County

122 West Bayfield Street

Washburn, WI 54891 (715) 373-2628

FILED 10-25-2021 Clerk of Court Bayfield County 2021CX000041

STATE OF WISCONSIN

CIRCUIT COURT

BAYFIELD COUNTY

BAYFIELD COUNTY, a political Subdivision of the State of Wisconsin 117 East Fifth Street Washburn, WI 54891,

VS.

Plaintiff,

STEVEN L. KESSENICH 31715 Star Route Road Bayfield, WI 54814

COMPLAINT

Code: 30703

Defendant.

The above named plaintiff, Bayfield County, by its attorneys, Spears, Carlson & Coleman, by Linda I. Coleman, Bayfield County Corporation Counsel, as and for its claims against the above-named defendant, alleges and shows to the Court as follows:

FIRST CAUSE OF ACTION

- 1. Plaintiff is a political subdivision of the State of Wisconsin with its principal offices located at 117 East Fifth Street, Washburn, Wisconsin.
- 2. The defendant, upon information and belief, an adult resident of the state of Wisconsin residing at 31715 Star Route Road in Bayfield, Wisconsin.
- 3. The defendant, Steven Kessenich, is the owner of the following described real estate located in Bayfield County, State of Wisconsin, hereinafter the "Kessenich Property":
 - The Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼), Section Nineteen (19), Township Fifty (50) North, Range Four (4) West, Town of Bayfield, Bayfield County, Wisconsin.
- 4. On January 9, 2007, defendant was issued a sanitary permit to install a non-pressurized in-ground system on the Kessenich Property.
- 5. The sanitary permit issued to defendant expired on January 9, 2009.

- 6. The sanitary permit issued to defendant was never renewed and, by its terms, expired approximately 12.5 years ago.
- 7. On January 23, 2007, plaintiff received an application from defendant for a permit for an accessory building, namely a garage, which was represented to have no sanitary connection and be 1800 square feet in area (hereinafter "Garage").
- 8. The Garage permit was granted on the condition that "Structure may not be used for human habitation or living space unless the zoning and sanitary requirements are satisfied."
- 9. On July 7, 2010, plaintiff received an application from defendant for another accessory building, this time a storage building, which was represented to have no sanitary connection and be 1800 square feet in area (hereinafter "Storage").
- 10. The Kessenich Property, upon information and belief, is presently listed for sale and is represented as having 2 bedrooms and a partial bath in a 2,700 square foot building as well as a 60'X60' "pole barn" (60' X 60' being 3,600 square feet).
- 11. Upon information and belief, the original Garage has been expanded to be 2,700 square feet rather than 1,800 square feet.
- 12. Upon information and belief, the original Garage contains a bathroom and living space, despite the fact the permit authorizing said structure prohibited the same.
- 13. Upon information and belief, the Storage building has been expanded to be 3,600 square feet rather than the 1,800 square feet that was permitted.
- 14. Upon information and belief, there is no sanitary permit in effect on the Kessenich Property but there is a bathroom that is being or has been used without a permit.
- 15. Pursuant to Bayfield County Zoning Ordinance Section 13-1-21(b)(1), a land use permit shall be required for any new residence, as well as any building or structure that is structurally altered.
- 16. Defendant does not have a permit for a residence nor a permit to expand the Garage beyond 1,800 square feet.

- 17. Based upon a review of air photography, it appears that the Garage was expanded without a permit on or before December 31, 2015.
- 18. Section 13-1-103(c) of the Bayfield County Zoning Ordinance provides:

Penalty. Any person, firm, or corporation and/or contractor found guilty of violating any provision of this Chapter shall forfeit a sum of not less than \$25.00 nor more than \$500.00, together with the full costs of such prosecution, plus the costs of any compliance required to rectify the violation. Each day's failure to comply shall constitute a separate violation.

19. Based upon defendant's violation as set forth above, the defendant is indebted to the plaintiff in the amount of not less than \$25.00, nor more than \$500.00, per day for each day the aforesaid violation continues from the date that the Garage on the Kessenich Property was expanded without a permit, which was no later than December 31, 2015.

SECOND CAUSE OF ACTION

- 20. Plaintiff realleges and incorporates paragraphs 1-19, above.
- 21. Pursuant to Bayfield County Zoning Ordinance Section 13-1-21(b)(1), a land use permit shall be required for any new residence, as well as any building or structure that is structurally altered.
- 22. Defendant does not have a permit to expand the Storage beyond 1,800 square feet.
- 23. Based upon a review of air photography, it appears that the Storage building was expanded without a permit on or before December 31, 2015.
- 24. Section 13-1-103(c) of the Bayfield County Zoning Ordinance provides:

Penalty. Any person, firm, or corporation and/or contractor found guilty of violating any provision of this Chapter shall forfeit a sum of not less than \$25.00 nor more than \$500.00, together with the full costs of such prosecution, plus the costs of any compliance required to rectify the violation. Each day's failure to comply shall constitute a separate violation.

25. Based upon defendant's violation as set forth above, the defendant is indebted to the plaintiff in the amount of not less than \$25.00, nor more than \$500.00, per day for each day the aforesaid violation continues from the date that the Storage building on the

Kessenich Property was expanded without a permit, which was no later than December 31, 2015.

THIRD CAUSE OF ACTION

- 26. Plaintiff realleges and incorporates paragraphs 1-25, above.
- 27. Upon information and belief, the defendant is residing in the Garage and has done so since April 23, 2009.
- 28. Pursuant to Bayfield County Zoning Ordinance Section 13-1-21(b)(1), a land use permit shall be required for any new residence, as well as any building or structure that is structurally altered or any change in use of the land or where any use of the land is altered.
- 29. Section 13-1-103(c) of the Bayfield County Zoning Ordinance provides:

Penalty. Any person, firm, or corporation and/or contractor found guilty of violating any provision of this Chapter shall forfeit a sum of not less than \$25.00 nor more than \$500.00, together with the full costs of such prosecution, plus the costs of any compliance required to rectify the violation. Each day's failure to comply shall constitute a separate violation.

30. Based upon defendant's violation as set forth above, the defendant is indebted to the plaintiff in the amount of not less than \$25.00, nor more than \$500.00, per day for each day the aforesaid violation continues from the date that the Garage building was used as a residence without a permit, which, upon information and belief, began no later than April 23, 2009.

FOURTH CAUSE OF ACTION

- 31. Plaintiff realleges and incorporates paragraphs 1-30, above.
- 32. Upon information and belief, the Garage on the Kessenich Property is designed for independent human habitation and is not serviced by a public sewer.
- 33. Section 15-1-7 of the Bayfield County Zoning Ordinance provides as follows:

All structures or premises in the County that are permanently or intermittently intended for human habitation or occupancy, which are not serviced by a public sewer, shall have a system for holding or treatment and dispersal of sewage and wastewater which complies with the provisions of this ordinance.

- 34. The defendant does not have a system for holding or treatment and dispersal of sewage and wastewater which complies with the provisions of the Bayfield County Ordinances to serve the Garage.
- 35. Section 15-1-23(a) of the Bayfield County Zoning Ordinance provides as follows:
 - Violations of the provisions of this ordinance and subject to the terms of Section 1-1-6, Chapter 1-2 and Section 13-1-103 of the Bayfield County Code of Ordinance.
- 36. Section 13-1-103(c) of the Bayfield County Zoning Ordinance provides as follows:
 - Penalty. Any person, firm, or corporation and/or contractor found guilty of violating any provision of this Chapter shall forfeit a sum of not less than \$25.00 nor more than \$500.00, together with the full costs of such prosecution, plus the costs of any compliance required to rectify the violation. Each day's failure to comply shall constitute a separate violation.
- 37. Based upon defendant's violations as set forth above, the defendant is indebted to the plaintiff in the amount of not less than \$25.00, nor more than \$500.00, per day for each day the aforesaid violation continues from the date that the Garage was intended for human habitation and lacked a sanitary permit which, upon information and belief, began on or before April 23, 2009.

FIFTH CAUSE OF ACTION

- 38. Plaintiff realleges and incorporates paragraphs 1-37, above.
- 39. Upon information and belief, the violations referred to above will continue until appropriate injunctive relief is granted.

WHEREFORE, plaintiff requests judgment as follows:

- 1. With respect to its first cause of action, a judgment of forfeiture against the defendant of not less than \$25.00 per day nor more than \$500.00 per day for each day that the violation alleged in the complaint continues, commencing on the date that the Garage was expanded without a permit which occurred no later than December 31, 2015.
- 2. With respect to its second cause of action, a judgment of forfeiture against the defendant of not less than \$25.00 per day nor more than \$500.00 per day for each day that the violation alleged in the complaint continues, commencing on the date that the Storage building was expanded without a permit which occurred no later than December 31, 2015.
- 3. With respect to its third cause of action, a judgment of forfeiture against the defendant of not less than \$25.00 per day nor more than \$500.00 per day for each day that the violation alleged in the complaint continues, commencing on the date that the

- Garage was used for human habitation which, upon information and belief, began no later than April 23, 2009.
- 4. With respect to its fourth cause of action, a judgment of forfeiture against the defendant of not less than \$25.00 per day nor more than \$500.00 per day for each day that the violation alleged in the complaint continues, commencing on the date that the Garage was intended for human habitation and lacked a sanitary permit which, upon information and belief, began on or before April 23, 2009
- 5. With respect to its fifth cause of action, an injunction requiring the defendant to remove any expansion of the Garage or Storage building, or apply for and obtain an after-the-fact permit for such expansion; an injunction requiring the defendant to cease using the Garage for human habitation or apply for and obtain a permit to use the same as a residence; and an injunction requiring the defendant to remove any unpermitted private wastewater system on the Kessenich Property or obtain an after-the-fact permit to maintain a system
- 6. Plaintiff's costs, disbursements and fees incurred herein.
- 7. Such other relief as may be just and appropriate.

Dated this 25 Day of October, 2021.

SPEARS, CARLSON & COLEMAN, by

Linda I. Coleman, State Bar No. 1088532

Bayfield County Corporation Counsel

Attorneys for the plaintiff, Bayfield County

122 West Bayfield Street Washburn, WI 54891

(715) 373-2628

STEVEN L KESSENICH

STEVEN L KESSENICH

P Site Address ★ indicates Private Road

469 WHITE RIVER RD

HARRISON NE 69346

31715 STAR ROUTE RD

Property Assessment

2021 Assessment Detail

2-Year Comparison

Property History

04-006-2-50-04-19-1 02-000-10000

Parent Properties

Code

Land:

Total:

Improved:

N/A

Ownership

Billing Address:

Real Estate Bayfield County Property Listing

Today's Date: 2/2/2022

Property Status: Next Year

Updated: 10/25/2021

HARRISON NE

BAYFIELD 54814

Land

2021

0

0

0

Updated: N/A

Imp.

Change

0.0%

0.0%

0.0%

Tax ID

<u>4793</u>

Created On: 10/25/2021 11:30:30 AM

Mailing Address:

STEVEN L KESSENICH

469 WHITE RIVER RD

HARRISON NE 69346

Acres

2020

0

0

0

Description Updated: 10/25/2021 Tax ID: 38644 PIN: 04-006-2-50-04-19-1 02-000-20000

Legacy PIN: Map ID:

Municipality: (006) TOWN OF BAYFIELD

STR:

S19 T50N R04W

Description: NW NE IN V.958 P.823 LESS PAR IN DOC

2021R-591146

Recorded Acres: Calculated Acres: Lottery Claims:

19.610 19.610 Ω

First Dollar: ESN:

No 105

| Tax Districts | Updated: 10/25/2021 | | |
|---------------|---------------------|--|--|
| 1 | STATE | | |
| 04 | COUNTY | | |
| 006 | TOWN OF BAYFIELD | | |
| 040315 | SCHL-BAYFIELD | | |
| 001700 | TECHNICAL COLLEGE | | |
| | | | |

Recorded Documents **■ WARRANTY DEED**

Date Recorded: 9/27/2021 2021R-591146

WARRANTY DEED Date Recorded: 11/22/2006 2006R-510659 958-823

WARRANTY DEED

Date Recorded: 7/10/2006

2006R-507743 948-218

Updated: 3/15/2006

CONVERSION

Date Recorded:

White=Current Parcels

Pink=Retired Parcels

706-369

HISTORY E Expand All History **Tax ID:** 4793 **Pin:** 04-006-2-50-04-19-1 02-000-10000 **Leg. Pin:** 006104206000

38644 **This Parcel**

Parents

Children

Town, City, Village, State or Federal **Permits May Also Be Required**

Court Case

LAND USE - X (2021CX000041)

SANITARY -

SIGN -

SPECIAL -

CONDITIONAL -

BOA -

BAYFIELD COUNTY PERMIT

WEATHERIZE AND POST THIS PERMIT ON THE PREMISES DURING CONSTUCTION

No.

22-0056

Issued To: Steven Kessenich

Par in

Location: NW ¼ of NE ¼ Section 19

Township

Range 4

Town of **Bayfield** W.

In V. 958 P. 823 LESS par in Doc #2021R-591146

Gov't Lot

Lot

Block

Subdivision

50

CSM#

After-the Fact Residential Accessory Structure Addition (West Side of Pole Bldg)

For:

[1-Story]: Storage Structure Addition (60' x 15') = 900 sq. ft. Height of 10 feet

(Disclaimer): Any future expansions or development would require additional permitting.

Condition(s): Court Order requires this structure located on the property identified as part of the complaint may not be used for human habitation.

Must meet and maintain setbacks. No pressurized water may enter the structure.

You are responsible for complying with state and federal laws concerning construction near or on wetlands, lakes, and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or

NOTE: This permit expires one year from date of issuance if the authorized construction work or land use has not begun.

> Changes in plans or specifications shall not be made without obtaining approval. This permit may be void or revoked if any of the application information is found to have been misrepresented, erroneous, or incomplete.

This permit may be void or revoked if any performance conditions are not completed or if any prohibitory conditions are violated.

Todd Norwood, AZA

Authorized Issuing Official

April 20, 2022

Date

SUBMIT: COMPLETED APPLICATION, TAX **Bayfield County** Planning and Zoning Depart. PO Box 58 Washburn, WI 54891

(715) 373-6138

Address to send permit

APPLICATION FOR PERMIT BAYFIELD COUNTY, WISCONSIN

Date Stamp (Received)

MAR 1 4 2022

Bayfield Co.
Planning and Zoning Agency

| Permit #: | 22-005 | 3 |
|--------------|----------------|-------|
| Date: | 4-20-20 | 72 |
| Amount Paid: | \$ 75 ACC Blog | 17-22 |
| Other: | | |
| Refund: | | |

| Checks are made pa | ayable to: B | ayfield C | | Department. | TO APPLICANT. | Origina | l Applica | tion MUS | T be submit | | LL OUT IN IN | ık (<mark>NO I</mark> | PENCIL) |
|--|---|--------------------------|--|--|--|---|--|--|--|---------------------------|---------------------|------------------------|--------------------------|
| TYPE OF PERMIT R | EQUESTE |) | □ LAND | USE SAN | | | NDITION | | ☐ SPECIAL U | | | | |
| Owner's Name: | , (| , | | Ma | iling Address: | 0 | | City/S | State/Zip: | JSE 🗆 I | B.O.A. 🗆 C | Telephon | ne: |
| STEVEN | L, K | res: | senic | h # | eg White | Riv | er R d | H | 45150 | n,No | =69344 | • | |
| Address of Property | STAR | RT | RD | | City/State/Zip: | dh | 1, - | 548 | 14 | *. | | Cell Phon | ie: |
| Email: (print clearly | | | | msn. | <u> </u> | i | | | / | | 1 | 608) | |
| Contractor: | | 125 | SCO | | tractor Phone: | | Plumber: | | | | | 2357 | |
| S | e14 | | | | diactor Filone. | | Plumber: | | | | | Plumber | Phone: |
| Authorized Agent: (| Person Signi | ng Applica | ation on behalf | of Age | nt Phone: | | Agent Mai | ling Addre | ss (include City/ | State/Zip) | | Written A | Authorization |
| Owner(s)) | | | | | | | | | | 1 | \ | Required | d (for Agent) |
| PROJECT LOCATION Le | gal Descri | ption: | (Use Tax Stat | tement) | Tax ID# | cel | | | | | Document: (S | howing Ow | (nership) |
| 1) and | _ | Gov | 't Lot | Lot(s) CSM | 3 % 4 9 Vol & Page 0 | | и 1 | 1 - 4/ - \ # | | 700 | | 9/11 | 76 |
| 1/4, NE | 1/4 | dov | 1201 | LOU(S) CSIVI | Voi & Page | SM Doc | # | Lot(s) # | Block # | Subdivisi | | " | 11-0 |
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| | ☐ Is Pro | perty/La | nd within 3 | 00 feet of River, | Stream (incl. Intermitte | ent) | Distanc | e Structur | e is from Shor | eline : | Is your Pro | perty | |
| □ Shoreland — | Creek or | r Landw | ard side of F | loodplain? | If yescontinue - | | | | | feet | in Floodp | | Are Wetlands Present? |
| - Siloreland | ls Pro | perty/La | nd within 1 | 000 feet of Lake | Pond or Flowage | | Distanc | e Structur | e is from Shor | eline : | Zone? | | ☐ Yes |
| ~ | | | الا | | If yescontinue - | - | | | | feet | □ No |) | □ No |
| Non- Shoreland | | | | | | | | | | | | | |
| onorciana | E'. | | | | | | | C 19 | ā | | | | |
| Value at Time of Completion | | | | 0.00 | | | Total | # of | | What T | ype of | | Type of |
| * include | | Projec | t | Project | Project | | bedro | No. of Contract of | | | ry System(s) | | Water |
| donated time | | | | # of Stories | Foundatio | n | prop | | | | operty or | | on |
| & material | □ New | Constri | uction | ☐ 1-Story | ☐ Basemen | ,+ | prop | erty | Municipal | | e property? | W. | property |
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| 1,000 | ☐ Conv | ersion | = | ☐ 2-Story | □ Slab | - | □ 3 | | Sanitary (E | xists) Sp | ecify Type: | | |
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| 1/19 | ☐ Conditional Use: (explain) ☐ Other: (explain) | | | | | - (| X |) | | | | | |
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| (are) responsible for the result of Bayfield Cour property at any reason | ne detail and a nty relying on nable time for | this inforr the purpo | ny accompanyin fall information nation I (we) am se of inspection | ng information) has be I (we) am (are) provid In (are) providing in or In (are) providing in or | or STARTING CONSTRUENT Examined by me (us) an ingrand that it will be relied with this application. I (we) | d to the be d upon by I) consent t | est of my (our Ba yfield Cour to county offic |) knowledge a nty in determi cials charged | and belief it is true, ining whether to iss with administering | correct and oue a permit. | I (we) further acce | nt liability w | high may be a |
| | | ers listed | on the Deed | All Owners must | sign <u>or</u> letter(s) of aut | thorization | on must ac | company t | his application) | | . / | | |
| Authorized Agen (If you a | | ng on b | ehalf of th | e owner(s) <mark>a le</mark> | tter of authorizat | ion mu | st accom | (Sec | e Note below) s application | Da | ate | 1 | |

<u>Attach</u>

Copy of Tax Statement

If you recently purchased the property send your Recorded Deed

In the box below: Draw or Sketch your Property (regardless of what you are applying for)

Show Location of: Show / Indicate:

Proposed Construction

(2)

North (N) on Plot Plan

Fill Out in Ink - NO PENCIL

(4)Show:

(3)Show Location of (*):

All Existing Structures on your Property (5) Show:

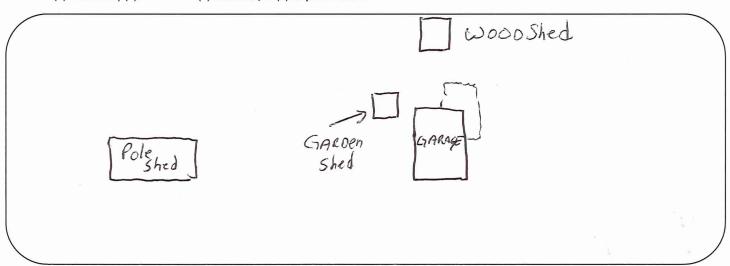
Show any (*):

(*) Well (W); (*) Septic Tank (ST); (*) Drain Field (DF); (*) Holding Tank (HT) and/or (*) Privy (P)

(*) Lake; (*) River; (*) Stream/Creek; or (*) Pond

(*) Driveway and (*) Frontage Road (Name Frontage Road)

(*) Wetlands; or (*) Slopes over 20% (7)Show any (*):



Please complete (1) - (7) above (prior to continuing)

Changes in plans must be approved by the Planning & Zoning Dept.

(8) Setbacks: (measured to the closest point)

| Description | Setbac Measuren | | | Description | Setback Measurements | |
|--|------------------------|-------------------|--------|--|-------------------------|------------------|
| | -/ | | | | | |
| Setback from the Centerline of Platted Road | 800 | Feet | | Setback from the Lake (ordinary high-water mark) | | Feet |
| Setback from the Established Right-of-Way | 800 | Feet Setback from | | Setback from the River, Stream, Creek | | Feet |
| | | | | Setback from the Bank or Bluff | | Feet |
| Setback from the North Lot Line | 800 | Feet | | | | |
| Setback from the South Lot Line | 175 | Feet | | Setback from Wetland | 100 | Feet |
| Setback from the West Lot Line | 500 | Feet | | 20% Slope Area on the property | ☐ Yes | ≥ No |
| Setback from the East Lot Line | 200 | Feet | | Elevation of Floodplain | | Feet |
| | | | | | | |
| Setback to Septic Tank or Holding Tank | 150 | Feet | | Setback to Well | 200 | Feet |
| Setback to Drain Field | | Feet | | | | |
| Setback to Privy (Portable, Composting) | - | Feet | | | | |
| Prior to the placement or construction of a structure within ten (10) fe | et of the minimum requ | ired setback, t | the bo | oundary line from which the setback must be measured must be visible from on | e previously survey | ed corner to the |

other previously surveyed corner or marked by a licensed surveyor at the owner's expense.

Prior to the placement or construction of a structure more than ten (10) feet but less than thirty (30) feet from the minimum required setback, the boundary line from which the setback must be measured must be visible from the previously surveyed corner to the other previously surveyed corner, or verifiable by the Department by use of a corrected compass from a known corner within 500 feet of the proposed site of the structure, or must be rked by a licensed surveyor at the owner's expense.

(9) Stake or Mark Proposed Location(s) of New Construction, Septic Tank (ST), Drain field (DF), Holding Tank (HT), Privy (P), and Well (W).

NOTICE(s):

All Land Use Permits Expire One (1) Year from the Date of Issuance if Construction or Use has not begun. For the Construction of New One & Two Family Dwelling: ALL Municipalities Are Required To Enforce The Uniform Dwelling Code.

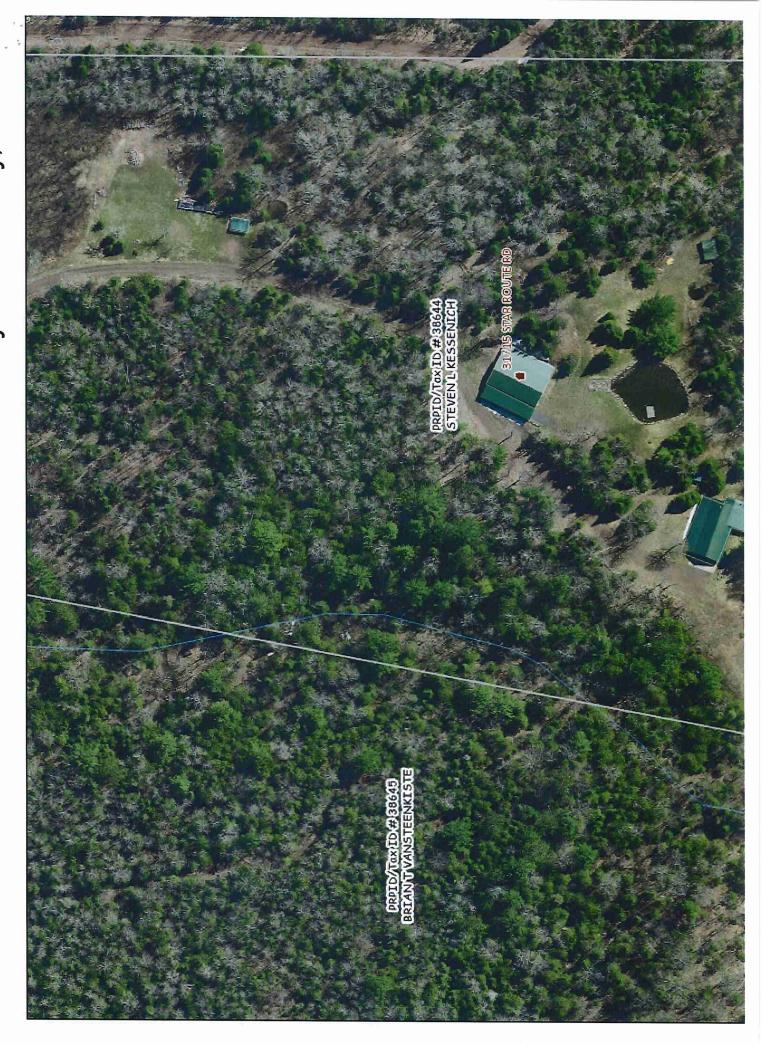
The local Town, Village, City, State or Federal agencies may also require permits.

If subject property is part of a Condominium Plat, applicant hereby certifies and represents that applicant has all necessary approvals and recorded documents required to complete the project for which this permit is sought including requirements set forth in Wisconsin statutes pertaining to condominium associations, the Declaration of the Condominium Association in which the property is located, and all other rules, regulations and requirements pertaining to that Condominium Association.

You are responsible for complying with state and federal laws concerning construction near or on wetlands, lakes, and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the department of natural resources wetlands identification web page or contact a department of natural resources service center (715) 685-2900.

| Issuance Information (County Use Only) | Sanitary Number: | | # of bedrooms: | Sanitary Date: | | |
|---|--|--|---|--|--------------------------|--|
| Permit Denied (Date): | Reason for Denial | | and a substantial | | | |
| Permit #: 22-0053 | Permit Date: | -2022 | regardity above | | | |
| Is Parcel a Sub-Standard Lot Is Parcel in Common Ownership Is Structure Non-Conforming □ Yes (Deed of Recondance | ous Lot(s)) | Mitigation Required Mitigation Attached | □ Yes □ No □ Yes □ No | Affidavit Required Affidavit Attached | ☐ Yes ☐ No ☐ Yes ☐ No | |
| Granted by Variance (B.O.A.) ☐ Yes ☐ No Case #: | Previously Granted by Variance (B.O.A.) — Yes — No — Case #: | | | | | |
| Was Parcel Legally Created Was Proposed Building Site Delineated □ Yes □ No | Were Property Lines Represented by Owner Was Property Surveyed Yes Yes | | | | | |
| Inspection Record: Court Case Co | 91) | | Zoning District Lakes Classification | (F-/) (N/4) | | |
| Date of Inspection: | Inspected by: | | | Date of Re-Inspect | ion: | |
| Condition(s): Town, Committee or Board Conditions Attac | ched? | No they need to be atta | ched.) | | | |
| | | | | | | |
| h a p ab 12 19 27 | | | | | | |
| Signature of Inspector | 1 | 7-11 | - 6 6 | Date of Approx | ral: | |
| Hold For Sanitary: Hold For TBA: | Hold For Affid | lavit: 🗌 | Hold For Fees: 🗌 | _ 0 4-/ | 7-20 | |

@@January 2000 (@August 2021)



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TEPT ZEE (806) Mes HUMISON ME 69346 469 White River Pd 1 company NEW Mailingaddress Think you for your accounts or this matter. \$150 + \$150 for 19TF permits for each building, done it wont a puny, of didink souther those fee Expolication for permit for involved. I include of 300, The guiden shall in loss you needed it I also fulled out an application for permet for Sulding / genden shad -. its not in fring, but suther an accessory Grant application as you buggested (our though or functions. I now it for shory (quilen externind-preside how wereld son its not conparts boers moscing): of now convilled it. If he get us of it degress he frequest of should have it.

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property. The Brait touth house disconnected (he soul The "pury" sulding was given tome by a fuend thuite show,



BAYFIELD COUNTY PLANNING AND ZONING DEPARTMENT

Bayfield County Courthouse 117 East Fifth Street Post Office Box 58 Washburn, WI 54891

Telephone: (715) 373-6138

(715) 373-0114

E-mail:

zoning@bayfieldcounty.org Web Site: www.bayfieldcounty.org/zoning

February 17, 2022

Steven Kessenich 1920 Tranquility Ln The Villages, FL 32162 RECEIVED

MAR 14 2022

Bayfield Co. Planning and Zoning Agency

RE:

Notice of Violation: Tax ID 38644 (31715 Star Route Rd)

Steven Kessenich:

While working through the after-the-fact applications for the pole building and garage additions, the Bayfield County Planning and Zoning Department (Department) identified two additional structures in violation of no permits on the above-referenced property. The Department requires after-the-fact permits for the privy and the 12' x,22.5' shed located approximately 200ft east of the privy. Garden Shed

Per the Bayfield County Zoning Ordinance, after-the-fact permits are double the original fee. You will need to submit the enclosed Bayfield County sanitary application and privy agreement for the privy. The Bayfield County sanitary permit fees will be \$300 payable to Bayfield County Zoning (\$150 + \$150 penalty fee) and \$30 payable to Register of Deeds to record the privy agreement. You'll need to identify details on the sanitary application for the type of privy. For example, if it's a vaulted privy, you need to identify the vault material and capacity. If it's a composting toilet, we need the make and model. The shed requires a land use application for an accessory structure. The land use fee for the shed is \$150 (\$75 + \$75 penalty fee) payable to Bayfield County Zoning.

This letter is to officially notify you that the department will require you to obtain the necessary permit to correct the violation. Should the violation not be corrected on or before March 18, 2022, enforcement action may be initiated. Daily fines imposed by the court of up to \$500.00 per day per each violation could be imposed. This is an eventuality we would hope to avoid.

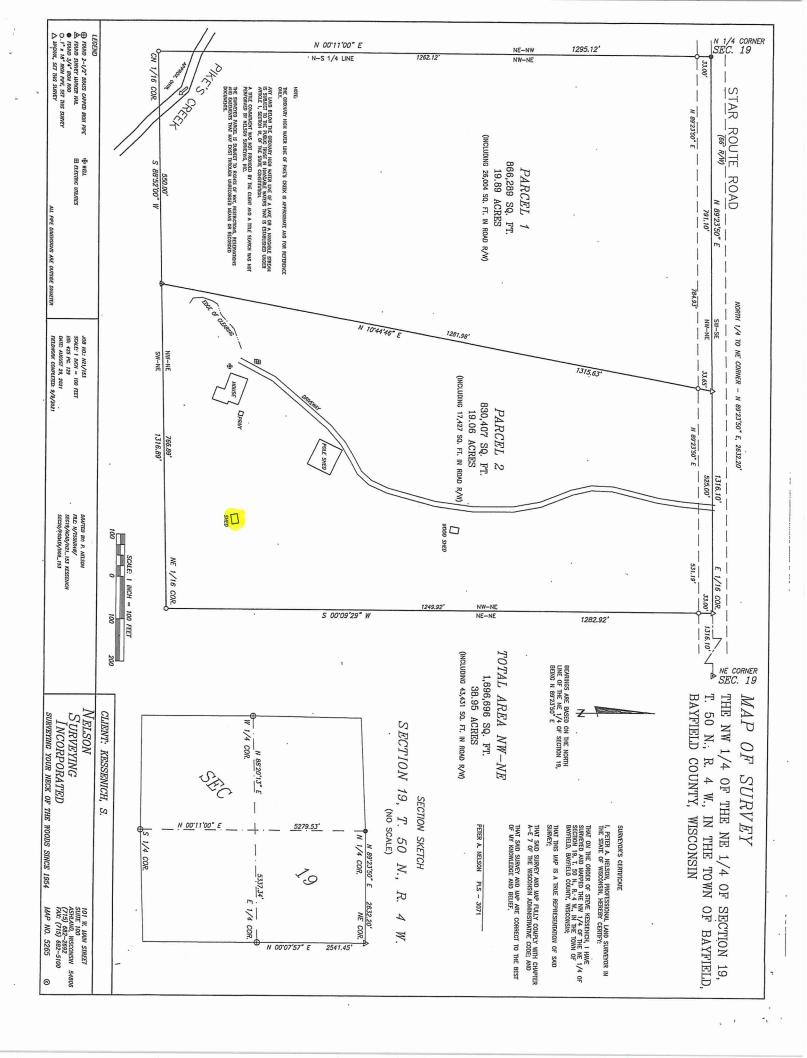
Please feel free to contact me at (715) 373-6138 or at todd.norwood@bayfieldcounty.wi.gov with any questions. Thank you for your cooperation in this matter.

Sincerely,

BAYFIELD COUNTY PLANNING AND ZONING DEPARTMENT

Todd Norwood, Assistant Zoning Administrator Bayfield County Planning and Zoning Department

Iodd Norwin



FILED 03-14-2022 Clerk of Court Bayfield County 2021CX000041

DATE SIGNED: March 14, 2022

STATE OF WISCONSIN Circuit Court Judge IT COURT

BAYFIELD COUNTY

BAYFIELD COUNTY, a political Subdivision of the State of Wisconsin 117 East Fifth Street Washburn, WI 54891,

VS.

Plaintiff,

STIPULATION FOR ORDER AND ORDER

STEVEN L. KESSENICH Code: 30703

31715 Star Route Road Bayfield, WI 54814

Defendant.

IT IS HEREBY STIPULATED, by and between the parties in the above-titled matters that the court may enter the following order both matters without further notice to any party:

- 1. The defendant hereby enters a plea of no contest on count 1 in the above-referenced action. If a plea of not-guilty has already been entered, the defendant who entered that plea hereby agrees to withdraw that plea and enter a plea of no contest.
- 2. Counts 2, 3 and 4 are dismissed.
- 3. As to count 1, the Court may impose a forfeiture of \$9,350, together with costs of \$2,652 against the defendant, for a total of \$12,002.00 against the defendant, to be paid sixty (60) days of the Order.
- 4. As to Count 5, the court may impose an injunction requiring the Defendant to obtain after-the-fact permits for the expansion of the Garage building as identified in the Complaint, the Storage building as identified in the Complaint, a privy located on the property that was found after the filing of the complaint, and a 12' X 22.5' shed found on the property after the filing of the complaint and further requiring that no structure on the property identified in the complaint may be used for human habitation.

Steven Kessenich, Defendant

Date

Linda I. Coleman, Attorney for

Bayfield County Zoning Department

Date

ORDER

Based upon the above Stipulation, IT IS ORDERED AND DECREED AS FOLLOWS:

- 1. As to Count 1, a forfeiture is hereby imposed against the defendant in the amount of \$9,350 which shall be paid to the Bayfield County Clerk of Court within 60 days of this Order.
- 2. Costs are assessed against the defendant in the amount of \$2,652, which shall be paid to the Bayfield County Clerk of Court within 60 days of this Order.
- 3. Counts 2, 3 and 4 are dismissed.
- 4. The Defendant shall obtain after-the-fact permits for the expansion of the Garage building as identified in the Complaint, the Storage building as identified in the Complaint, a privy located on the property that was found after the filing of the complaint, and a 12' X 22.5' shed found on the property after the filing of the complaint and further requiring that no structure on the property identified in the complaint may be used for human habitation.

FII FD 10-25-2021 **Clerk of Court Bayfield County** 2021CX000041

STATE OF WISCONSIN

CIRCUIT COURT

BAYFIELD COUNTY

BAYFIELD COUNTY, a political Subdivision of the State of Wisconsin 117 East Fifth Street

Washburn, WI 54891,

SUMMONS

Code: 30703

VS.

Plaintiff,

STEVEN L. KESSENICH

31715 Star Route Road Bayfield, WI 54814

Defendant.

THE STATE OF WISCONSIN

To: Steven L. Kessenich 31715 Star Route Road Bayfield, WI 54814

You are hereby notified that the Plaintiff above named has filed a lawsuit or other legal action against you. The Complaint, which is attached, states the nature and basis of the legal action.

Within twenty (20) days of receiving this Summons, you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the Complaint. The court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the Court, whose address is: Clerk of Court, Bayfield County Courthouse, 117 East Fifth Street, Washburn, Wisconsin 54891, and to Linda I. Coleman, Plaintiff's attorney, whose address is Spears, Carlson & Coleman, 122 West Bayfield Street, Washburn, Wisconsin 54891. You may have an attorney help or represent you.

If you do not provide a proper answer within twenty (20) days, the Court may grant judgment against you or the award of money or other legal action requested in the Complaint, and you may lose your right to object to anything that is or may be incorrect in the Complaint. The judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated this 25 day of October, 2021

SPEARS, CARLSON & COLEMAN, by

Linda I. Coleman, SBN 1088532

Bayfield County Corporation Counsel

Attorneys for the Plaintiff, Bayfield County

122 West Bayfield Street

Washburn, WI 54891 (715) 373-2628

FILED 10-25-2021 Clerk of Court Bayfield County 2021CX000041

STATE OF WISCONSIN

CIRCUIT COURT

BAYFIELD COUNTY

BAYFIELD COUNTY, a political Subdivision of the State of Wisconsin 117 East Fifth Street Washburn, WI 54891,

vs.

Plaintiff,

STEVEN L. KESSENICH 31715 Star Route Road Bayfield, WI 54814

Code: 30703

COMPLAINT

Defendant.

The above named plaintiff, Bayfield County, by its attorneys, Spears, Carlson & Coleman, by Linda I. Coleman, Bayfield County Corporation Counsel, as and for its claims against the above-named defendant, alleges and shows to the Court as follows:

FIRST CAUSE OF ACTION

- 1. Plaintiff is a political subdivision of the State of Wisconsin with its principal offices located at 117 East Fifth Street, Washburn, Wisconsin.
- 2. The defendant, upon information and belief, an adult resident of the state of Wisconsin residing at 31715 Star Route Road in Bayfield, Wisconsin.
- 3. The defendant, Steven Kessenich, is the owner of the following described real estate located in Bayfield County, State of Wisconsin, hereinafter the "Kessenich Property":
 - The Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼), Section Nineteen (19), Township Fifty (50) North, Range Four (4) West, Town of Bayfield, Bayfield County, Wisconsin.
- 4. On January 9, 2007, defendant was issued a sanitary permit to install a non-pressurized in-ground system on the Kessenich Property.
- 5. The sanitary permit issued to defendant expired on January 9, 2009.

- 6. The sanitary permit issued to defendant was never renewed and, by its terms, expired approximately 12.5 years ago.
- 7. On January 23, 2007, plaintiff received an application from defendant for a permit for an accessory building, namely a garage, which was represented to have no sanitary connection and be 1800 square feet in area (hereinafter "Garage").
- 8. The Garage permit was granted on the condition that "Structure may not be used for human habitation or living space unless the zoning and sanitary requirements are satisfied."
- 9. On July 7, 2010, plaintiff received an application from defendant for another accessory building, this time a storage building, which was represented to have no sanitary connection and be 1800 square feet in area (hereinafter "Storage").
- 10. The Kessenich Property, upon information and belief, is presently listed for sale and is represented as having 2 bedrooms and a partial bath in a 2,700 square foot building as well as a 60'X60' "pole barn" (60' X 60' being 3,600 square feet).
- 11. Upon information and belief, the original Garage has been expanded to be 2,700 square feet rather than 1,800 square feet.
- 12. Upon information and belief, the original Garage contains a bathroom and living space, despite the fact the permit authorizing said structure prohibited the same.
- 13. Upon information and belief, the Storage building has been expanded to be 3,600 square feet rather than the 1,800 square feet that was permitted.
- 14. Upon information and belief, there is no sanitary permit in effect on the Kessenich Property but there is a bathroom that is being or has been used without a permit.
- 15. Pursuant to Bayfield County Zoning Ordinance Section 13-1-21(b)(1), a land use permit shall be required for any new residence, as well as any building or structure that is structurally altered.
- 16. Defendant does not have a permit for a residence nor a permit to expand the Garage beyond 1,800 square feet.

- 17. Based upon a review of air photography, it appears that the Garage was expanded without a permit on or before December 31, 2015.
- 18. Section 13-1-103(c) of the Bayfield County Zoning Ordinance provides:

Penalty. Any person, firm, or corporation and/or contractor found guilty of violating any provision of this Chapter shall forfeit a sum of not less than \$25.00 nor more than \$500.00, together with the full costs of such prosecution, plus the costs of any compliance required to rectify the violation. Each day's failure to comply shall constitute a separate violation.

19. Based upon defendant's violation as set forth above, the defendant is indebted to the plaintiff in the amount of not less than \$25.00, nor more than \$500.00, per day for each day the aforesaid violation continues from the date that the Garage on the Kessenich Property was expanded without a permit, which was no later than December 31, 2015.

SECOND CAUSE OF ACTION

- 20. Plaintiff realleges and incorporates paragraphs 1-19, above.
- 21. Pursuant to Bayfield County Zoning Ordinance Section 13-1-21(b)(1), a land use permit shall be required for any new residence, as well as any building or structure that is structurally altered.
- 22. Defendant does not have a permit to expand the Storage beyond 1,800 square feet.
- 23. Based upon a review of air photography, it appears that the Storage building was expanded without a permit on or before December 31, 2015.
- 24. Section 13-1-103(c) of the Bayfield County Zoning Ordinance provides:

Penalty. Any person, firm, or corporation and/or contractor found guilty of violating any provision of this Chapter shall forfeit a sum of not less than \$25.00 nor more than \$500.00, together with the full costs of such prosecution, plus the costs of any compliance required to rectify the violation. Each day's failure to comply shall constitute a separate violation.

25. Based upon defendant's violation as set forth above, the defendant is indebted to the plaintiff in the amount of not less than \$25.00, nor more than \$500.00, per day for each day the aforesaid violation continues from the date that the Storage building on the

Kessenich Property was expanded without a permit, which was no later than December 31, 2015.

THIRD CAUSE OF ACTION

- 26. Plaintiff realleges and incorporates paragraphs 1-25, above.
- 27. Upon information and belief, the defendant is residing in the Garage and has done so since April 23, 2009.
- 28. Pursuant to Bayfield County Zoning Ordinance Section 13-1-21(b)(1), a land use permit shall be required for any new residence, as well as any building or structure that is structurally altered or any change in use of the land or where any use of the land is altered.
- 29. Section 13-1-103(c) of the Bayfield County Zoning Ordinance provides:

Penalty. Any person, firm, or corporation and/or contractor found guilty of violating any provision of this Chapter shall forfeit a sum of not less than \$25.00 nor more than \$500.00, together with the full costs of such prosecution, plus the costs of any compliance required to rectify the violation. Each day's failure to comply shall constitute a separate violation.

30. Based upon defendant's violation as set forth above, the defendant is indebted to the plaintiff in the amount of not less than \$25.00, nor more than \$500.00, per day for each day the aforesaid violation continues from the date that the Garage building was used as a residence without a permit, which, upon information and belief, began no later than April 23, 2009.

FOURTH CAUSE OF ACTION

- 31. Plaintiff realleges and incorporates paragraphs 1-30, above.
- 32. Upon information and belief, the Garage on the Kessenich Property is designed for independent human habitation and is not serviced by a public sewer.
- 33. Section 15-1-7 of the Bayfield County Zoning Ordinance provides as follows:

All structures or premises in the County that are permanently or intermittently intended for human habitation or occupancy, which are not serviced by a public sewer, shall have a system for holding or treatment and dispersal of sewage and wastewater which complies with the provisions of this ordinance.

- 34. The defendant does not have a system for holding or treatment and dispersal of sewage and wastewater which complies with the provisions of the Bayfield County Ordinances to serve the Garage.
- 35. Section 15-1-23(a) of the Bayfield County Zoning Ordinance provides as follows:
 - Violations of the provisions of this ordinance and subject to the terms of Section 1-1-6, Chapter 1-2 and Section 13-1-103 of the Bayfield County Code of Ordinance.
- 36. Section 13-1-103(c) of the Bayfield County Zoning Ordinance provides as follows:
 - Penalty. Any person, firm, or corporation and/or contractor found guilty of violating any provision of this Chapter shall forfeit a sum of not less than \$25.00 nor more than \$500.00, together with the full costs of such prosecution, plus the costs of any compliance required to rectify the violation. Each day's failure to comply shall constitute a separate violation.
- 37. Based upon defendant's violations as set forth above, the defendant is indebted to the plaintiff in the amount of not less than \$25.00, nor more than \$500.00, per day for each day the aforesaid violation continues from the date that the Garage was intended for human habitation and lacked a sanitary permit which, upon information and belief, began on or before April 23, 2009.

FIFTH CAUSE OF ACTION

- 38. Plaintiff realleges and incorporates paragraphs 1-37, above.
- 39. Upon information and belief, the violations referred to above will continue until appropriate injunctive relief is granted.

WHEREFORE, plaintiff requests judgment as follows:

- 1. With respect to its first cause of action, a judgment of forfeiture against the defendant of not less than \$25.00 per day nor more than \$500.00 per day for each day that the violation alleged in the complaint continues, commencing on the date that the Garage was expanded without a permit which occurred no later than December 31, 2015.
- 2. With respect to its second cause of action, a judgment of forfeiture against the defendant of not less than \$25.00 per day nor more than \$500.00 per day for each day that the violation alleged in the complaint continues, commencing on the date that the Storage building was expanded without a permit which occurred no later than December 31, 2015.
- 3. With respect to its third cause of action, a judgment of forfeiture against the defendant of not less than \$25.00 per day nor more than \$500.00 per day for each day that the violation alleged in the complaint continues, commencing on the date that the

- Garage was used for human habitation which, upon information and belief, began no later than April 23, 2009.
- 4. With respect to its fourth cause of action, a judgment of forfeiture against the defendant of not less than \$25.00 per day nor more than \$500.00 per day for each day that the violation alleged in the complaint continues, commencing on the date that the Garage was intended for human habitation and lacked a sanitary permit which, upon information and belief, began on or before April 23, 2009
- 5. With respect to its fifth cause of action, an injunction requiring the defendant to remove any expansion of the Garage or Storage building, or apply for and obtain an after-the-fact permit for such expansion; an injunction requiring the defendant to cease using the Garage for human habitation or apply for and obtain a permit to use the same as a residence; and an injunction requiring the defendant to remove any unpermitted private wastewater system on the Kessenich Property or obtain an after-the-fact permit to maintain a system
- 6. Plaintiff's costs, disbursements and fees incurred herein.
- 7. Such other relief as may be just and appropriate.

Dated this 25 Day of October, 2021.

SPEARS, CARLSON & COLEMAN, by

Linda I. Coleman, State Bar No. 1088532

Bayfield County Corporation Counsel Attorneys for the plaintiff, Bayfield County

122 West Bayfield Street

Washburn, WI 54891 (715) 373-2628

Real Estate Bayfield County Property Listing

Today's Date: 4/21/2022

Property Status: Current

Created On: 10/25/2021 11:30:30 AM

| Description | Updated: 10/25/2021 |
|---------------|----------------------------------|
| Tax ID: | 38644 |
| PIN: | 04-006-2-50-04-19-1 02-000-20000 |
| Legacy PIN: | |
| Map ID: | |
| Municipality: | (006) TOWN OF BAYFIELD |
| STR: | S19 T50N R04W |

NW NE IN V.958 P.823 LESS PAR IN DOC Description:

2021R-591146

Recorded Acres: 19.610 Calculated Acres: 19.610 Lottery Claims: First Dollar: Yes ESN: 105

| Tax Districts | Updated: 10/25/2021 |
|---------------|---------------------|
| 1 | STATE |
| 04 | COUNTY |
| 006 | TOWN OF BAYFIELD |
| 040315 | SCHL-BAYFIELD |
| 001700 | TECHNICAL COLLEGE |

| Recorded Documents | Updated: 3/15/2006 |
|--------------------|--------------------|
| | |

WARRANTY DEED Date Recorded: 9/27/2021 2021R-591146

WARRANTY DEED

2006R-510659 958-823 Date Recorded: 11/22/2006

WARRANTY DEED

Date Recorded: 7/10/2006 2006R-507743 948-218

CONVERSION

38644

Date Recorded: 706-369

This Parcel

| Nwnership | Updated: 10/25/2021 |
|--------------------|---------------------|
| STEVEN I KESSENICH | HARRISON NE |

Billing Address: Mailing Address: STEVEN L KESSENICH STEVEN L KESSENICH 469 WHITE RIVER RD 469 WHITE RIVER RD HARRISON NE 69346 HARRISON NE 69346

| P Site Address | * indicates Private Road | |
|------------------|--------------------------|--|
| 31715 STAR ROUTE | BAYFIELD 54814 | |

| Property Assessment | Updated: 3/14/2022 | | | |
|------------------------|--------------------|---------|--------|--|
| 2022 Assessment Detail | | | | |
| Code | Acres | Land | Imp. | |
| G1-RESIDENTIAL | 1.000 | 9,000 | 87,000 | |
| G6-PRODUCTIVE FOREST | 18.610 | 16,700 | 0 | |
| 2-Year Comparison | 2021 | 2022 | Change | |
| Land: | 0 | 25,700 | 100.0% | |
| Improved: | 0 | 87,000 | 100.0% | |
| Total: | 0 | 112,700 | 100.0% | |

| Property History | |
|----------------------------------|--------|
| Parent Properties | Tax ID |
| 04-006-2-50-04-19-1 02-000-10000 | 4703 |

HISTORY LExpand All History White=Current Parcels Pink=Retired Parcels Tax ID: 4793 Pin: 04-006-2-50-04-19-1 02-000-10000 Leg. Pin: 006104206000 **Children**

Parents

Town, City, Village, State or Federal **Permits May Also Be Required**

Legal Case

LAND USE - X (2021CX000041)

SANITARY -

SIGN -

SPECIAL -

CONDITIONAL -

BOA –

BAYFIELD COUNTY PERMIT

WEATHERIZE AND POST THIS PERMIT ON THE PREMISES DURING CONSTUCTION

No.

22-0053

Issued To: Steven Kessenich

Par in

Town of **Bayfield** Location: **NW** ¼ of **NE** ¼ Section Township Range **4** W. 19

In V. 958 P. 823 LESS par in Doc #2021R-591146

Gov't Lot

Lot

Block

Subdivision

CSM#

After-the Fact Residential Accessory

[1-Story]; Wood Shed (22.5' x 12') = 270 sq. ft. Height of 8 feet. Located East of Garage approx. 200'

(Disclaimer): Any future expansions or development would require additional permitting

Condition(s): Court Order requires this structure located on the property identified as part of the complaint may not be used for human habitation.

Must meet and maintain setbacks. No pressurized water may enter the structure.

You are responsible for complying with state and federal laws concerning construction near or on wetlands, lakes, and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the department of natural resources wetlands identification web page or contact a department of natural resources service center (715) 685-2900.

NOTE: This permit expires one year from date of issuance if the authorized construction work or land use has not begun.

> Changes in plans or specifications shall not be made without obtaining approval. This permit may be void or revoked if any of the application information is found to have been misrepresented, erroneous, or incomplete.

This permit may be void or revoked if any performance conditions are not completed or if any prohibitory conditions are violated.

Mark Abeles-Allison, Co Administrator

Authorized Issuing Official

April 20, 2022

Date

SUBMIT: COMPLETED APPLICATION, TAX STATEMENT AND FEE TO:

Bayfield County Planning and Zoning Depart. PO Box 58 Washburn, WI 54891 (715) 373-6138 ATF

APPLICATION FOR PERMIT BAYFIELD COUNTY, WISCONSIN

Date Stamp (Received)

JAN 0 4 2022

Bayfield Co.
Planning and Zoning Agency

| Permit #: | 22-005/ | |
|--------------|-----------------------------------|-----|
| Date: | 4-00-000 | > |
| Amount Paid: | #75.00 Res Add F#75.00 1-10-22 | FIC |
| Other: | | |
| Refund: | | |

INSTRUCTIONS: No permits will be issued until all fees are paid.
Checks are made payable to: Bayfield County Zoning Department.

| | UNSTRUCTIO | ON <u>UNTIL</u> | ALL PERMITS | HAVE BEEN ISS | UED TO | APPLICANT. | Origin | al Applicat | ion <u>MU</u> | IST be submit | tted F | ILL OUT IN IN | K (NO P | ENCIL) |
|---|--|--|--|--|--|---|--|--|---------------------------------|--|--|------------------------------------|--|-----------------------------|
| TYPE OF PERMIT | REQUESTE | D + | EXLAN | D USE S | ANITA | RY - PRIVY | | ONDITION | AL USE | □ SPECIAL | USE [] | B.O.A. □ C | THER | |
| Owner's Name: Steven | 1 | Ko | 500 | / | | Address: | 1, | , | 100 | /State/Zip: | | _ | Telephone | e: , |
| Address of Proper | | 160 | Stin | Ch ! | | Trangui State/Ziph | lity | La | 74 | e Villag | 15,02 | 32/62 | | |
| 31715 5 | TARI | 2- | RP | | 389 | 3AV FIR | Id | WI | (2/ | X14 | / | | Cell Phone | e: |
| Email: (print clea | rly) K+ | 55 | 00 | msn | . Co | m | | t de la | | / | | - | 608 | -0 |
| Contractor: | 010 | | | 7.7077 | | tor Phone: | | Plumber: | 17.7 | | | | Plumber P | 7427 hone: |
| Authorized Agent: | (Person Sign | ning Applie | ration on behal | fof | Agent P | honor | | | 11 | - \a_a | | | | |
| Owner(s)) | (, 5,55,15,8, | B.v.bb | a cion on bena | 101 | Agent F | none. | | Agent Ivialli | ng Adar | ess (include City | /State/Zip |): | | uthorization (for Agent) |
| PROJECT LOCATION Legal Description: (Use Tax Statement) | | | | | | ID# | | | | | Recorde | d Document: (SI | nowing Owr | nership) |
| LOCATION | Legal Desc | iption. | (Use Tax Sta | itement) | | 38644 | 70 | ex ID | 4- | 793 | _20 | 2112 | 5911 | 46 |
| 1/4, | 1/4 | Go | v't Lot | Lot(s) CS | M | /ol & Pagé (| SM Do | 27.55 | ot(s) # | Block # | Subdivis | ion: | | |
| 1 1 1 1 | | | | | | | | | | | | | Sriginali | 1. 4000 |
| Section 19 | , Towns | hip _5 | O_ N, Ran | ge <u>04</u> 1 | v | Town of: | fre | 11 | | | Lot Size | | Acreage | el acres |
| | le Due | /I | adtalatit | 2006 . (5) | | 1 | 1. | | | | | | | el acres |
| | Creek | rlandu | rard side of | Eloodalain? | 15. | eam (incl. Intermitt | | Distance | Structu | re is from Sho | reline : | Is your Proj | | Are Wetland |
| ☑ Shoreland - | ls Pro | perty/L | and within 1 | L000 feet of La | ke. Por | nd or Flowage | | Distance | 197 | re is from Sho | de ma Como | Zone? | test bu | Present? |
| | | | | | If y | escontinue - | → | Distance | Juctu | re is from Sno | feetfeet | ☐ Yes | - | No |
| □ Non- | MIN. III | | | | | | | Service in | | a Francisco | | NO NO | | |
| Shoreland | | | San Aserta | to the second | | | | · | All I Se | | | | | |
| Value at Time | | | | | | | | Tabeld | | | | HE WILLIAM STATES | | THE PARTY OF |
| of Completion * include | | D | Project Project | | | | | | | | | /hat Type of | | Type of |
| donated time | | Project | | | # of Stories Foundation | | | on | 1113 | | | Sanitary System(s) the property or | | Water |
| & material | | | | | F-4-1-240 | | | prope | rty | | | e property? | | propert |
| | □ New | Constr | uction | ☐ 1-Story | | ☐ Basemen | t | □ 1 | | ☐ Municipal, | /City | | | ☐ City |
| | Addi | Addition/Alteration 1-St | | | Foundation | | | □ 2 | ☐ (New) Sanitary Specify Type: | | | | □ Well | |
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ized Agent: ______ (See Note below)
(If you are signing on behalf of the owner(s) a letter of authorization must accompany this application)

Address to send permit 1920 Tranquility

Copy of Tax Statement

If you recently purchased the property send your Recorded Deed

r Property (regardless of what you are applying for)

Show Location of: (1)

Proposed Construction

North (N) on Plot Plan (2) Show / Indicate: Show Location of (*):

(*) Driveway and (*) Frontage Road (Name Frontage Road)

Show: (4)

(3)

(5)

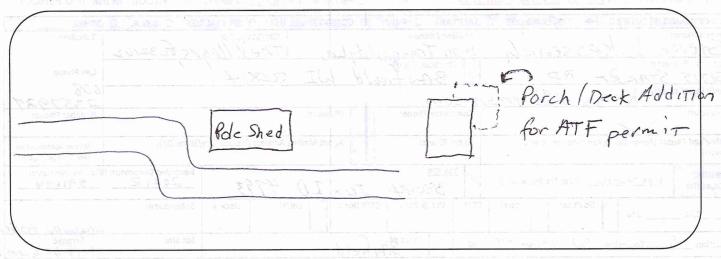
All Existing Structures on your Property

Show: Show any (*): (6)

(*) Well (W); (*) Septic Tank (ST); (*) Drain Field (DF); (*) Holding Tank (HT) and/or (*) Privy (P)

(*) Lake; (*) River; (*) Stream/Creek; or (*) Pond

Show any (*): (*) Wetlands; or (*) Slopes over 20%



Please complete (1) - (7) above (prior to continuing)

Fill Out in Ink - NO PENCIL

(8) Setbacks: (measured to the closest point)

| Description | Setback Measurements | Description | Setback Measurements | |
|---|-------------------------|--|-------------------------|--|
| | | 1 | - hit stowe | |
| Setback from the Centerline of Platted Road | 1093 Feet | Setback from the Lake (ordinary high-water mark) | Feet | |
| Setback from the Established Right-of-Way | 10 60 Feet | Setback from the River, Stream, Creek | 175 Feet | |
| Land of the second second by Land | the second second | Setback from the Bank or Bluff | Feet | |
| Setback from the North Lot Line | 1093 Feet | | | |
| Setback from the South Lot Line | 140 Feet | Setback from Wetland | Feet | |
| Setback from the West Lot Line | 180 Feet | 20% Slope Area on the property | ☐ Yes ☐ No | |
| Setback from the East Lot Line | 480 Feet | Elevation of Floodplain | Feet | |
| Setback to Septic Tank or Holding Tank | Feet | Setback to Well | 10 Feet | |
| Setback to Drain Field | Feet | July 2 Ju | 20 MOV 12 | |
| Setback to Privy (Portable, Composting) | Feet | | | |

(9) Stake or Mark Proposed Location(s) of New Construction, Septic Tank (ST), Drain field (DF), Holding Tank (HT), Privy (P), and Well (W).

NOTICE(s):

All Land Use Permits Expire One (1) Year from the Date of Issuance if Construction or Use has not begun. For the Construction of New One & Two Family Dwelling: ALL Municipalities Are Required To Enforce The Uniform Dwelling Code. The local Town, Village, City, State or Federal agencies may also require permits.

If subject property is part of a Condominium Plat, applicant hereby certifies and represents that applicant has all necessary approvals and recorded documents required to complete the project for which this permit is sought including requirements set forth in Wisconsin statutes pertaining to condominium associations, the Declaration of the Condominium Association in which the property is located, and all other rules, regulations and requirements pertaining to that Condominium Association.

You are responsible for complying with state and federal laws concerning construction near or on wetlands, lakes, and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the department of natural resources wetlands identification web page or contact a department of natural resources service center (715) 685-2900.

| Issuance Information (County Use Only) | Sanitary Number: | | # of bedrooms: | Sanitary Date: | | | | |
|---|---|---|------------------------|---|--|--|--|--|
| Permit Denied (Date): | Reason for Denial: | | | | | | | |
| Permit#: | Permit Date: | ABOURD SAFER AND | | | | | | |
| Is Parcel a Sub-Standard Lot Is Parcel in Common Ownership Is Structure Non-Conforming Yes (Deed of Recor Fused/Contigu | ous Lot(s)) No | Mitigation Required Mitigation Attached | ☐ Yes ☐ No ☐ Yes ☐ No | Affidavit Required ☐ Yes ☐ No Affidavit Attached ☐ Yes ☐ No | | | | |
| Granted by Variance (B.O.A.) ☐ Yes ☐ No Case #: | | Previously Granted by Variance (B.O.A.) ☐ Yes ☐ No Case #: | | | | | | |
| Was Parcel Legally Created Was Proposed Building Site Delineated ✓ Yes □ No | AND THE RESIDENCE OF THE PROPERTY OF THE PROPERTY OF THE PARTY OF THE | Were Property Line | □ Yes □ No □ No □ No | | | | | |
| Inspection Record: original structure pure structure was burn used for hi without permits and flumbrue | removed by | non-habitable rand had a rady flumb | garage in add time | Zoning District () Lakes Classification () | | | | |
| Condition(s): Town, Committee or Board Conditions Atta | Inspected by: | A Novwoo | ched.) | Date of Re-Inspection: | | | | |
| Structure not for human water or pirmbing allower Setbacks. | habitation d'inside st | Is beeping | purposes. A | to pressurized and maintain | | | | |
| Signature of Inspector: Todd Narwoz | | | Midus Programs Will Th | Date of Approval: | | | | |
| Hold For Sanitary: 🛘 Hold For TBA: 🗘 _ | Hold For Affic | davit: 🔲 | Hold For Fees: | Addition to send 1 - male 1/9 1 | | | | |

Court Case (2021 CX 000041)

RECEIVED

JAN 0 4 2022

Bayfield Co. Planning and Zoning Agency

ADRIEN CADY
MASTER PLUMBER
31160 Birch Grove Rd.
Washburn, WI 54891

715-373-2378 FAX: 715-373-0646

Email: cadyplumbing@yahoo.com

December 23,2021

Bayfield County Zoning Department 117 E. 5th St. Washburn, WI 54891

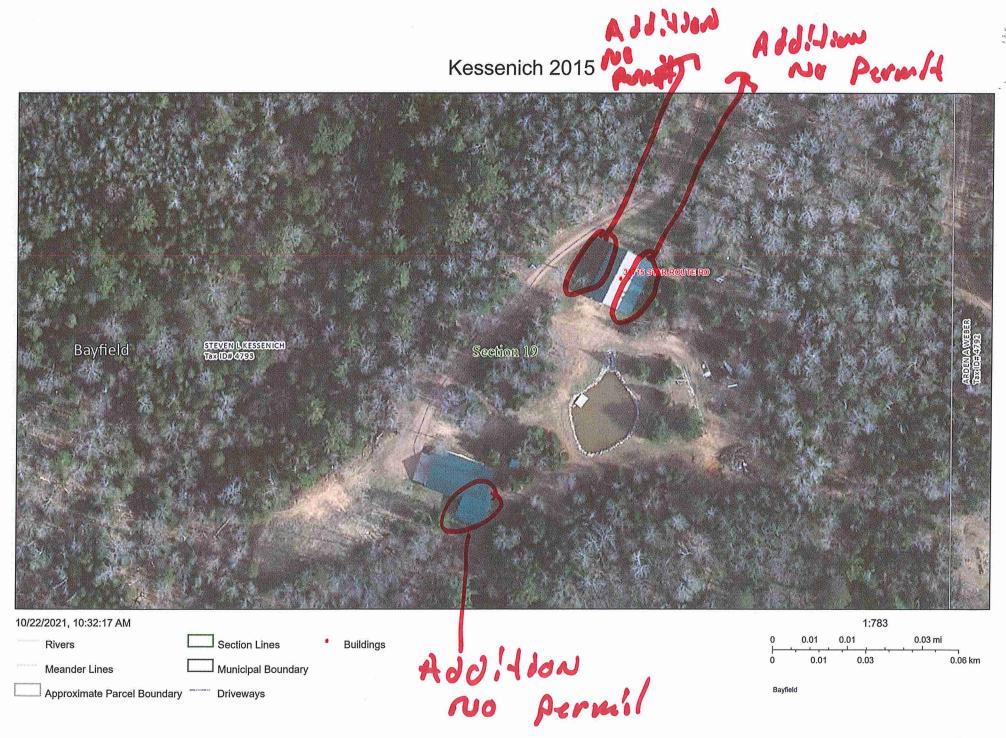
Holiday Greeting Ron,

The following work was completed for Steve Kessenich on 12/17/2021; on the property at 31715 Star Route Rd. in Bayfield:

- * Disconnected sewer from the house. Used a locator to try to find where the pipe goes. Looked for possible tanks and no tanks where located.
- * Dug up the water line from the Well disconnected and capped.
- * Removed all the fixtures from the house consisting of a toilet, bathroom sink, kitchen sink, and sewer valve components.
- * Unhooked power source from well.

Respectfully,

Adrien Cady Master Plumber #922139



And the state of t

Todd Norwood

From:

Robert Schierman

Sent:

Friday, October 22, 2021 11:01 AM

To:

Linda Coleman

Cc:

Todd Norwood

Subject:

31715 Star Route Rd

Attachments:

IMG_2976.jpg; 20211022104547660_Real Estate Bayfield County Property Listing.pdf

Hi Linda,

We need a summons and complaint filed on this one asap.

The owner was sent a violation letter in 2009 and never resolved the violations and now the home is for sale and I want to get the owner before he sells it.

There are numerous violations.

- 1. Permit 07-021 Condition of Not to be used for habitation has been violated since 4/23/2009.
- 2. No sanitary violation of Section 15-1-7 since 4/23/2009.
- 3. Addition to structure (Permit # 07-021) appears in air photography of 2015 is violation of 13-1-21(b)1.
- 4. Addition to garage (permit #10-241) appears in air photography of 2015 is violation of 13-1-21(b)1.
- 5. Second addition to garage (permit #10-241) appears in real estate listing photography is violation of 13-1-21(b)1.
- 6. Residence in Ag-1 Zoning without Class A Special Use Permit as required in 13-1-62(a).

It appears that the owner started to resolve this in 2010 with an application for a residence but the permit expired when no fees were paid.

Notice: New Bayfield County email address listed below is effective January 26th, 2021.

Robert Schierman, Director
Bayfield County Planning and Zoning
2018 Wisconsin County Code Administrators (WCCA) President
Office 715-373-6138
Cell 715-209-7982
Fax 715-373-0114
Robert.Schierman@Bayfieldcounty.wi.gov

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Refin Transfer Description 22, Child Page Ann

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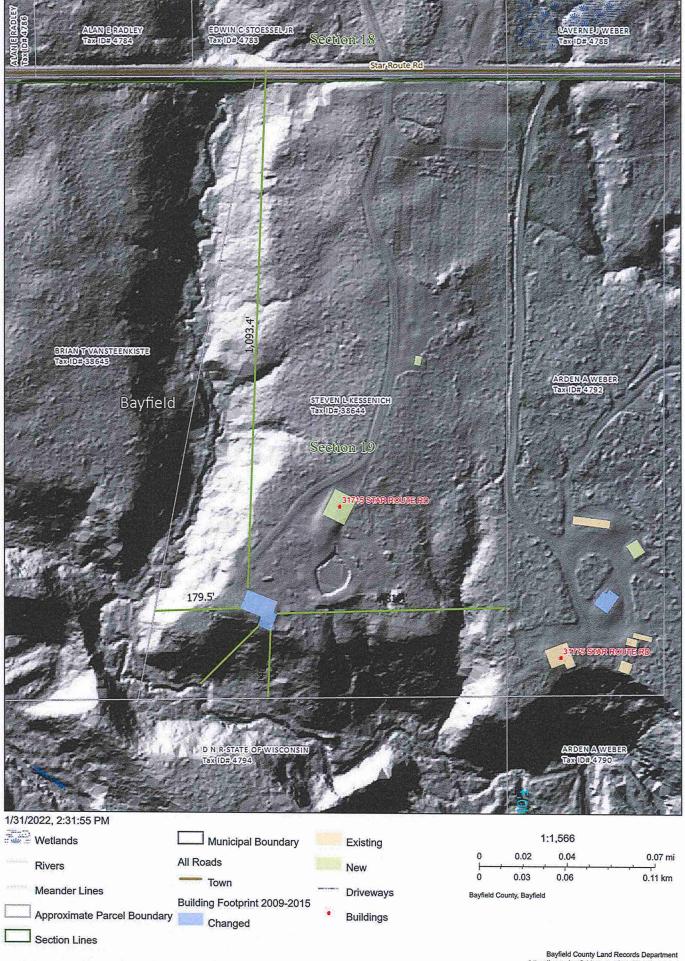
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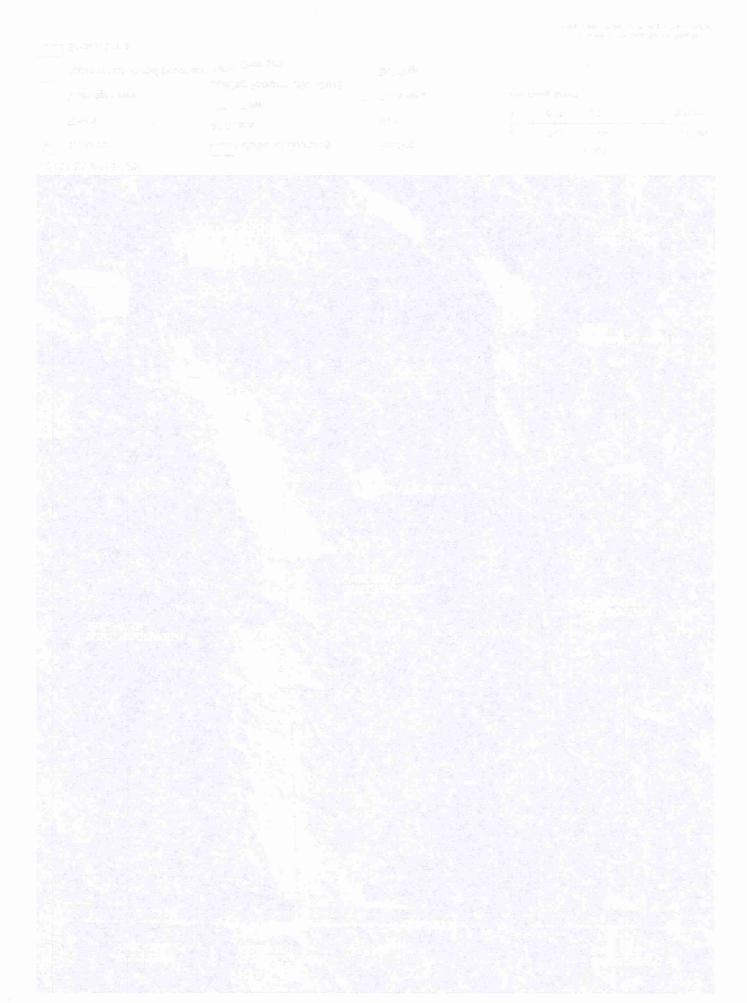
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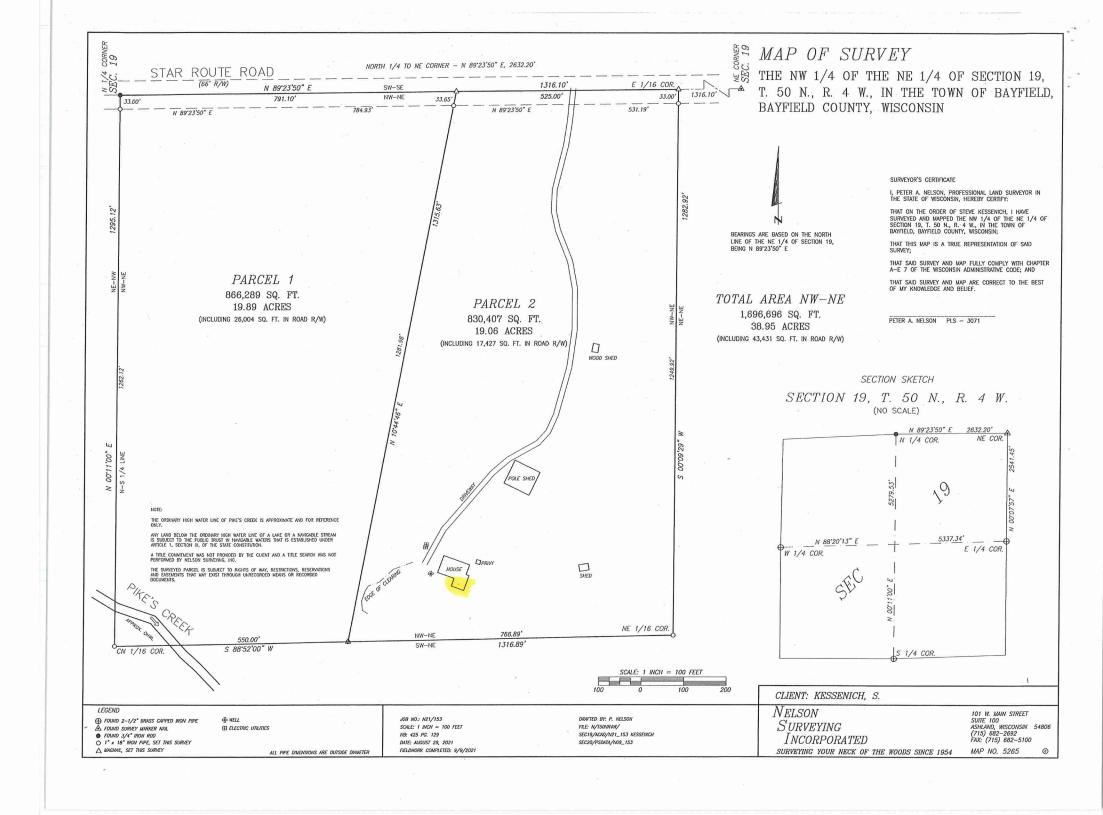
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Bayfield County, WI



https://maps.bayfieldcounty.wi.gov/BayfieldWAB/





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PARCEL 2

A PARCEL OF LAND LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 19, T. 50 N., R. 4 W., IN THE TOWN OF BAYFIELD, BAYFIELD COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

TO LOCATE THE POINT OF BEGINNING, COMMENCE AT A 3/4" IRON ROD AT THE NORTH 1/4 CORNER OF SAID SECTION 19 AND RUN, N 89°23'50" E, 791.10 FEET ON THE NORTH LINE OF SAID SECTION 19, TO A MAGNAIL WHICH IS THE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING BY METES AND BOUNDS:

CONTINUE OF SAID NORTH LINE, N 89°23'50" E, 525.00 FEET TO A MAGNAIL AT THE NORTHEAST CORNER OF SAID NW 1/4 OF THE NE 1/4. THENCE LEAVING SAID NORTH LINE AND ON THE EAST LINE OF SAID NW 1/4 OF THE NE 1/4, S 00°09'29" W, 1282.92 FEET TO A 1" IRON PIPE AT THE SOUTHEAST CORNER OF SAID NW 1/4 OF THE NE 1/4. THENCE LEAVING SAID EAST LINE AND ON THE SOUTH LINE OF SAID NW 1/4 OF THE NE 1/4, S 88°52'00" W, 766.89 FEET TO A 1" IRON PIPE. THENCE LEAVING SAID SOUTH LINE, N 10°44'46" E, 1315.63 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 830,407 SQUARE FEET WHICH IS 19.06 ACRES, INCLUDING 17,427 SQUARE FEET, LYING WITHIN THE RIGHT OF WAY OF STAR ROUTE ROAD.

SAID PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD OR USE, IF ANY.

PARCEL2

A PARESUQUIANO LO CATER YA THE NAME A COLORENSE ARE CATEDA 15, TUBE ALIKU THE PARESUN. TO LANGE BAYESTE, BAYESTE, BAYESTE A VENCONSELLOSTE DESCRIBESTO AS FOLLON S

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BAYFIELD COUNTY PLANNING AND ZONING DEPARTMENT

Bayfield County Courthouse 117 East Fifth Street Post Office Box 58 Washburn, WI 54891

Telephone: (715) 373-6138 Fax: (715) 373-0114 E-mail: **zoning@bayfieldcounty.org**Web Site: **www.bayfieldcounty.org/zoning**

April 23, 2009

Mr. Steven Kessenich P.O. Box 1127 Bayfield, Wisconsin 54814 COPY

RE:

Expiration of Sanitary Permit, Notice of Violation and Request to Comply, a Parcel of Land in the NW ½ of the NE ½, Section 19, Township 50 North, Range 04 West, Town of Bayfield, Bayfield County, Wisconsin, Parcel I.D. No. 04-006-2-50-04-19-1 02-000-10000.

Mr. Kessenich:

While reviewing our existing permit database, it has come to the attention of the Bayfield County Planning and Zoning Department (department) that Sanitary Permit No. 07-01S issued to you has expired. The expiration date of the permit was January 9, 2009, or two (2) years from the date of issuance. The department has no record of any private on-site wastewater treatment system (POWTS) being installed on the above referenced property, of which, you are known to be the owner according to the Bayfield County Register of Deeds and Tax Lister's Offices.

In researching this matter, the department realized that the installation of the POWTS for which the Sanitary Permit was issued was for use associated with an accessory structure permitted under Land Use permit No. 07-0021. A condition of that Land Use permit was that said structure could not be used for human habitation or living space (dwelling purposes).

Based upon a recent site inspection, the accessory structure has been constructed and appears to be used as living space. In the event you are using the structure for dwelling purposes, you are be in violation of Section 15-1-7 of the Bayfield County Sanitary and Private Sewage Code (Code) which states that all structures or premises in the County that are permanently or intermittently intended for human habitation or occupancy, which are not serviced by a public sewer, shall have a system for holding or treatment and dispersal of sewage and wastewater which complies with the provisions of the Code.

If you have no POWTS or an illegal on-site waste disposal system that results in the discharge of black and/or grey waste materials directly onto the ground surface this would also constitute a violation of Chapter 145.245(4) Wis. Stats. which states that a system is failing if it causes or results in any of the following conditions:

- (a) The discharge of sewage into surface water or groundwater.
- (b) The introduction of sewage into zones of saturation which adversely affects the operation of a private sewage system.
- (c) The discharge of sewage to a drain tile or into zones of bedrock.
- (d) The discharge of sewage to the surface of the ground.
- (e) The failure to accept sewage discharges and back up of sewage into the structure served by the private sewage system.

Based upon this information, and the fact that untreated waste poses a threat to human and environmental health, you are hereby notified to abate any nuisance(s) that may exist and are given a deadline of <u>August 23, 2009</u> to meet all referenced Code requirements and to <u>have a Code compliant POWTS installed on the above referenced property</u>. A new State Sanitary permit will be required for the installation of the sanitary system.

In the event you should choose not to comply with this request you may be subject to further penalties and/or enforcement action(s) such as a citation (\$249.00) or a summons and complaint may be filed with the Clerk of Courts which may result in maximum daily fines of up to \$500.00 per day (if the Circuit Court Judge decides so). Please note, the department would rather not have to take such actions.

Should you have any questions or require additional information regarding this matter, please feel free to contact me at (715) 373-6138 or at dcasina@bayfieldcounty.org. I thank you for your cooperation in this matter.

Sincerely,

BAYFIELD COUNTY PLANNING AND ZONING DEPARTMENT

Douglas D. Casina

Assistant Planning and Zoning Administrator

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BAYFIELD COUNTY

SANITARY PERMIT (#04)-07-01S

STATE SANITARY PERMIT

OWNER: STEVE KESSENICH

GOV'T LOT: LOT: BLK:

CSM:

1250

SUBDIVISION:

NW 1/4 NE 1/4 SEC: 19, T 50 N, R 4 W

TOWNSHIP: Bayfield

SOIL TEST: 266-06

NEW SYSTEM

PREVIOUS PERMIT #:

SYSTEM TYPE: Non-Pressurized In-Ground

PLUMBER: Ed Wroblewski

CeCe Tesky

Authorized Issuing Officer

DATE: 1/9/2007

CHAPTER 145.135(2) WISCONSIN STATUTES

- The purpose of the sanitary permit is to allow installation of the private sewage system described in the permit.
- The approval of the sanitary permit is based on regulations in force on the date of approval.
- The sanitary permit is valid and may be renewed for specified period.
- d. Changed regulations will not impair the validity of a sanitary
- Renewal of the senitary permit will be based on regulations in force at the time renewal is sought, and that changed regulations may impede renewal.
- f. The sanitary permit is transferable.

History: 1977 c. 168; 1979 c. 34,221; 1981 c. 314 Note: If you wish to renew the permit, or transfer ownership of the permit, please contact the county authority.

LICENSE: # 8718

Condition: Ensure 12" cover over chambers

THIS PERMIT EXPIRES 1/9/2009

POST IN PLAIN VIEW

MUST BE VISIBLE FROM ROAD FRONTING THE LOT DURING CONSTRUCTION

UTES

Kessenich 2015 Respectively STEVEN LITESSENICH TOXIDD 4759 Section 19 Bayfield 1:783 10/22/2021, 10:32:17 AM 0.03 mi 0.01 ^a Buildings Section Lines Rivers Addition No permit 0.06 km 0.03 Municipal Boundary Meander Lines Approximate Parcel Boundary Driveways

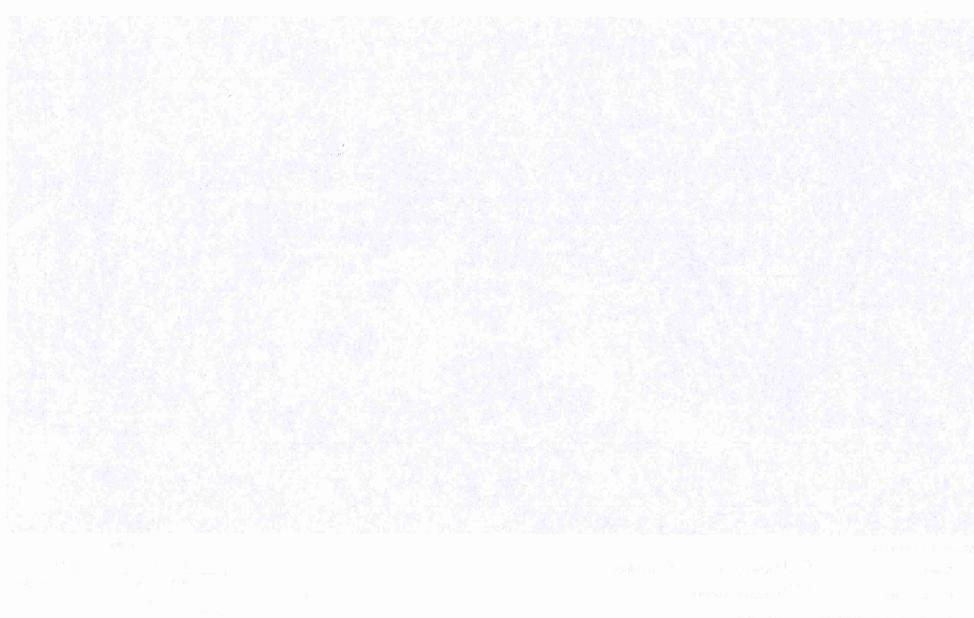
Bayfield County Land Records Department https://maps.bayfieldcounty.wi.gov/BayfieldWAB/

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Kessenich 2009



Bayfield County Land Records Department https://maps.bayfieldcounty.wi.gov/BayfieldWAB/



Provided the second of the sec

FILED. 03-14-2022 **Clerk of Court Bayfield County** 2021CX000041

DATE SIGNED: March 14, 2022

STATE OF WISCONSIN Circuit Conf. Circuit Court

BAYFIELD COUNTY

BAYFIELD COUNTY, a political Subdivision of the State of Wisconsin 117 East Fifth Street Washburn, WI 54891,

VS.

Plaintiff,

STIPULATION FOR ORDER AND ORDER

STEVEN L. KESSENICH 31715 Star Route Road

Bayfield, WI 54814

Defendant.

Code: 30703

IT IS HEREBY STIPULATED, by and between the parties in the above-titled matters that the court may enter the following order both matters without further notice to any party:

- 1. The defendant hereby enters a plea of no contest on count 1 in the above-referenced action. If a plea of not-guilty has already been entered, the defendant who entered that plea hereby agrees to withdraw that plea and enter a plea of no contest.
- 2. Counts 2, 3 and 4 are dismissed.
- 3. As to count 1, the Court may impose a forfeiture of \$9,350, together with costs of \$2,652 against the defendant, for a total of \$12,002.00 against the defendant, to be paid sixty (60) days of the Order.
- 4. As to Count 5, the court may impose an injunction requiring the Defendant to obtain after-the-fact permits for the expansion of the Garage building as identified in the Complaint, the Storage building as identified in the Complaint, a privy located on the property that was found after the filing of the complaint, and a 12' X 22.5' shed found on the property after the filing of the complaint and further requiring that no structure on the property identified in the complaint may be used for human habitation.

Steven Kesserich, Defendant

Linda I. Coleman, Attorney for

Bayfield County Zoning Department

ORDER

Based upon the above Stipulation, IT IS ORDERED AND DECREED AS FOLLOWS:

- 1. As to Count 1, a forfeiture is hereby imposed against the defendant in the amount of \$9,350 which shall be paid to the Bayfield County Clerk of Court within 60 days of this Order.
- 2. Costs are assessed against the defendant in the amount of \$2,652, which shall be paid to the Bayfield County Clerk of Court within 60 days of this Order.
- 3. Counts 2, 3 and 4 are dismissed.
- 4. The Defendant shall obtain after-the-fact permits for the expansion of the Garage building as identified in the Complaint, the Storage building as identified in the Complaint, a privy located on the property that was found after the filing of the complaint, and a 12' X 22.5' shed found on the property after the filing of the complaint and further requiring that no structure on the property identified in the complaint may be used for human habitation.

FIL FD 10-25-2021 **Clerk of Court Bayfield County** 2021CX000041

STATE OF WISCONSIN

CIRCUIT COURT

BAYFIELD COUNTY

BAYFIELD COUNTY, a political Subdivision of the State of Wisconsin 117 East Fifth Street

Washburn, WI 54891,

SUMMONS

Code: 30703

VS.

Plaintiff,

STEVEN L. KESSENICH

31715 Star Route Road Bayfield, WI 54814

Defendant.

THE STATE OF WISCONSIN

To: Steven L. Kessenich 31715 Star Route Road Bayfield, WI 54814

You are hereby notified that the Plaintiff above named has filed a lawsuit or other legal action against you. The Complaint, which is attached, states the nature and basis of the legal action.

Within twenty (20) days of receiving this Summons, you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the Complaint. The court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the Court, whose address is: Clerk of Court, Bayfield County Courthouse, 117 East Fifth Street, Washburn, Wisconsin 54891, and to Linda I. Coleman, Plaintiff's attorney, whose address is Spears, Carlson & Coleman, 122 West Bayfield Street, Washburn, Wisconsin 54891. You may have an attorney help or represent you.

If you do not provide a proper answer within twenty (20) days, the Court may grant judgment against you or the award of money or other legal action requested in the Complaint, and you may lose your right to object to anything that is or may be incorrect in the Complaint. The judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated this 25 day of October, 2021

SPEARS, CARLSON & COLEMAN, by

Linda I. Coleman, SBN 1088532

Bayfield County Corporation Counsel Attorneys for the Plaintiff, Bayfield County

122 West Bayfield Street

Washburn, WI 54891 (715) 373-2628

FILED 10-25-2021 **Clerk of Court Bayfield County** 2021CX000041

STATE OF WISCONSIN

CIRCUIT COURT

BAYFIELD COUNTY

BAYFIELD COUNTY, a political Subdivision of the State of Wisconsin 117 East Fifth Street Washburn, WI 54891,

VS.

Plaintiff,

COMPLAINT

Code: 30703

STEVEN L. KESSENICH 31715 Star Route Road Bayfield, WI 54814

Defendant.

The above named plaintiff, Bayfield County, by its attorneys, Spears, Carlson & Coleman, by Linda I. Coleman, Bayfield County Corporation Counsel, as and for its claims against the above-named defendant, alleges and shows to the Court as follows:

FIRST CAUSE OF ACTION

- 1. Plaintiff is a political subdivision of the State of Wisconsin with its principal offices located at 117 East Fifth Street, Washburn, Wisconsin.
- 2. The defendant, upon information and belief, an adult resident of the state of Wisconsin residing at 31715 Star Route Road in Bayfield, Wisconsin.
- 3. The defendant, Steven Kessenich, is the owner of the following described real estate located in Bayfield County, State of Wisconsin, hereinafter the "Kessenich Property":
 - The Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4), Section Nineteen (19), Township Fifty (50) North, Range Four (4) West, Town of Bayfield, Bayfield County, Wisconsin.
- 4. On January 9, 2007, defendant was issued a sanitary permit to install a non-pressurized in-ground system on the Kessenich Property.
- 5. The sanitary permit issued to defendant expired on January 9, 2009.

- 6. The sanitary permit issued to defendant was never renewed and, by its terms, expired approximately 12.5 years ago.
- 7. On January 23, 2007, plaintiff received an application from defendant for a permit for an accessory building, namely a garage, which was represented to have no sanitary connection and be 1800 square feet in area (hereinafter "Garage").
- 8. The Garage permit was granted on the condition that "Structure may not be used for human habitation or living space unless the zoning and sanitary requirements are satisfied."
- 9. On July 7, 2010, plaintiff received an application from defendant for another accessory building, this time a storage building, which was represented to have no sanitary connection and be 1800 square feet in area (hereinafter "Storage").
- 10. The Kessenich Property, upon information and belief, is presently listed for sale and is represented as having 2 bedrooms and a partial bath in a 2,700 square foot building as well as a 60'X60' "pole barn" (60' X 60' being 3,600 square feet).
- 11. Upon information and belief, the original Garage has been expanded to be 2,700 square feet rather than 1,800 square feet.
- 12. Upon information and belief, the original Garage contains a bathroom and living space, despite the fact the permit authorizing said structure prohibited the same.
- 13. Upon information and belief, the Storage building has been expanded to be 3,600 square feet rather than the 1,800 square feet that was permitted.
- 14. Upon information and belief, there is no sanitary permit in effect on the Kessenich Property but there is a bathroom that is being or has been used without a permit.
- 15. Pursuant to Bayfield County Zoning Ordinance Section 13-1-21(b)(1), a land use permit shall be required for any new residence, as well as any building or structure that is structurally altered.
- 16. Defendant does not have a permit for a residence nor a permit to expand the Garage beyond 1,800 square feet.

- 17. Based upon a review of air photography, it appears that the Garage was expanded without a permit on or before December 31, 2015.
- 18. Section 13-1-103(c) of the Bayfield County Zoning Ordinance provides:

Penalty. Any person, firm, or corporation and/or contractor found guilty of violating any provision of this Chapter shall forfeit a sum of not less than \$25.00 nor more than \$500.00, together with the full costs of such prosecution, plus the costs of any compliance required to rectify the violation. Each day's failure to comply shall constitute a separate violation.

19. Based upon defendant's violation as set forth above, the defendant is indebted to the plaintiff in the amount of not less than \$25.00, nor more than \$500.00, per day for each day the aforesaid violation continues from the date that the Garage on the Kessenich Property was expanded without a permit, which was no later than December 31, 2015.

SECOND CAUSE OF ACTION

- 20. Plaintiff realleges and incorporates paragraphs 1-19, above.
- 21. Pursuant to Bayfield County Zoning Ordinance Section 13-1-21(b)(1), a land use permit shall be required for any new residence, as well as any building or structure that is structurally altered.
- 22. Defendant does not have a permit to expand the Storage beyond 1,800 square feet.
- 23. Based upon a review of air photography, it appears that the Storage building was expanded without a permit on or before December 31, 2015.
- 24. Section 13-1-103(c) of the Bayfield County Zoning Ordinance provides:

Penalty. Any person, firm, or corporation and/or contractor found guilty of violating any provision of this Chapter shall forfeit a sum of not less than \$25.00 nor more than \$500.00, together with the full costs of such prosecution, plus the costs of any compliance required to rectify the violation. Each day's failure to comply shall constitute a separate violation.

25. Based upon defendant's violation as set forth above, the defendant is indebted to the plaintiff in the amount of not less than \$25.00, nor more than \$500.00, per day for each day the aforesaid violation continues from the date that the Storage building on the

Kessenich Property was expanded without a permit, which was no later than December 31, 2015.

THIRD CAUSE OF ACTION

- 26. Plaintiff realleges and incorporates paragraphs 1-25, above.
- 27. Upon information and belief, the defendant is residing in the Garage and has done so since April 23, 2009.
- 28. Pursuant to Bayfield County Zoning Ordinance Section 13-1-21(b)(1), a land use permit shall be required for any new residence, as well as any building or structure that is structurally altered or any change in use of the land or where any use of the land is
- 29. Section 13-1-103(c) of the Bayfield County Zoning Ordinance provides:

Penalty. Any person, firm, or corporation and/or contractor found guilty of violating any provision of this Chapter shall forfeit a sum of not less than \$25.00 nor more than \$500.00, together with the full costs of such prosecution, plus the costs of any compliance required to rectify the violation. Each day's failure to comply shall constitute a separate violation.

30. Based upon defendant's violation as set forth above, the defendant is indebted to the plaintiff in the amount of not less than \$25.00, nor more than \$500.00, per day for each day the aforesaid violation continues from the date that the Garage building was used as a residence without a permit, which, upon information and belief, began no later than April 23, 2009.

FOURTH CAUSE OF ACTION

- 31. Plaintiff realleges and incorporates paragraphs 1-30, above.
- 32. Upon information and belief, the Garage on the Kessenich Property is designed for independent human habitation and is not serviced by a public sewer.
- 33. Section 15-1-7 of the Bayfield County Zoning Ordinance provides as follows:

All structures or premises in the County that are permanently or intermittently intended for human habitation or occupancy, which are not serviced by a public sewer, shall have a system for holding or treatment and dispersal of sewage and wastewater which complies with the provisions of this ordinance.

- 34. The defendant does not have a system for holding or treatment and dispersal of sewage and wastewater which complies with the provisions of the Bayfield County Ordinances to serve the Garage.
- 35. Section 15-1-23(a) of the Bayfield County Zoning Ordinance provides as follows:
 - Violations of the provisions of this ordinance and subject to the terms of Section 1-1-6, Chapter 1-2 and Section 13-1-103 of the Bayfield County Code of Ordinance.
- 36. Section 13-1-103(c) of the Bayfield County Zoning Ordinance provides as follows:
 - Penalty. Any person, firm, or corporation and/or contractor found guilty of violating any provision of this Chapter shall forfeit a sum of not less than \$25.00 nor more than \$500.00, together with the full costs of such prosecution, plus the costs of any compliance required to rectify the violation. Each day's failure to comply shall constitute a separate violation.
- 37. Based upon defendant's violations as set forth above, the defendant is indebted to the plaintiff in the amount of not less than \$25.00, nor more than \$500.00, per day for each day the aforesaid violation continues from the date that the Garage was intended for human habitation and lacked a sanitary permit which, upon information and belief, began on or before April 23, 2009.

FIFTH CAUSE OF ACTION

- 38. Plaintiff realleges and incorporates paragraphs 1-37, above.
- 39. Upon information and belief, the violations referred to above will continue until appropriate injunctive relief is granted.

WHEREFORE, plaintiff requests judgment as follows:

- 1. With respect to its first cause of action, a judgment of forfeiture against the defendant of not less than \$25.00 per day nor more than \$500.00 per day for each day that the violation alleged in the complaint continues, commencing on the date that the Garage was expanded without a permit which occurred no later than December 31, 2015.
- 2. With respect to its second cause of action, a judgment of forfeiture against the defendant of not less than \$25.00 per day nor more than \$500.00 per day for each day that the violation alleged in the complaint continues, commencing on the date that the Storage building was expanded without a permit which occurred no later than December 31, 2015.
- 3. With respect to its third cause of action, a judgment of forfeiture against the defendant of not less than \$25.00 per day nor more than \$500.00 per day for each day that the violation alleged in the complaint continues, commencing on the date that the

- Garage was used for human habitation which, upon information and belief, began no later than April 23, 2009.
- 4. With respect to its fourth cause of action, a judgment of forfeiture against the defendant of not less than \$25.00 per day nor more than \$500.00 per day for each day that the violation alleged in the complaint continues, commencing on the date that the Garage was intended for human habitation and lacked a sanitary permit which, upon information and belief, began on or before April 23, 2009
- 5. With respect to its fifth cause of action, an injunction requiring the defendant to remove any expansion of the Garage or Storage building, or apply for and obtain an after-the-fact permit for such expansion; an injunction requiring the defendant to cease using the Garage for human habitation or apply for and obtain a permit to use the same as a residence; and an injunction requiring the defendant to remove any unpermitted private wastewater system on the Kessenich Property or obtain an after-the-fact permit to maintain a system
- 6. Plaintiff's costs, disbursements and fees incurred herein.
- 7. Such other relief as may be just and appropriate.

Dated this 25 Day of October, 2021.

SPEARS, CARLSON & COLEMAN, by

Linda I. Coleman, State Bar No. 1088532 Bayfield County Corporation Counsel

Attorneys for the plaintiff, Bayfield County

122 West Bayfield Street Washburn, WI 54891

(715) 373-2628

- A which respect to his notice states on according a peoplet of a large of a people against the dependent of a half set than \$25,000 per day for each day that the tribination alloged is the completion continues, commenting on the date that the dates are a properties into intended for human bebiggious and leaved a canisary permit which upon lefformation and belief, became on or become April 25, 2009.
- 5. With respect to he lifting exuse of south, an injure lon requiring the defendant to assert the carriers any expension of the Garage or Storage building, or apply for and obtain an advar-las-fact permit for each expansion, an injuration requiring the defendant or cease using the Garage for intimate habitation or apply for and obtain a permit to use the same on a residence; and an injuration requiring the defendant to remove any unpermitted private wastewater at action on the Ressoulch Property or obtain at afterward foot anticitian a system.
- Plength's unstruction may be and server coursed berein.
- Puch privat relief as may be just and appropriate.

Date at the T.C. Day of extober, 2001

SPEARS, CARL SON & COLUMNS, by

Under J. Coleman, State Bar No. 17835 C. H.s. field County Corporation Counsel Americal sifor the prelimitif, Baydield County 120 West Bayrield Street Under Holl Cases

STEVEN L KESSENICH

STEVEN L KESSENICH

Fixe Address * indicates Private Road

469 WHITE RIVER RD

HARRISON NE 69346

31715 STAR ROUTE RD

Property Assessment

2021 Assessment Detail

2-Year Comparison

Property History

Parent Properties

Code

Land:

Total:

Improved:

N/A

Ownership

Billing Address:

Real Estate Bayfield County Property Listing

Today's Date: 1/31/2022

Property Status: Next Year

Updated: 10/25/2021

HARRISON NE

BAYFIELD 54814

2021

0

0

0

Updated: N/A

Imp.

Change

0.0%

0.0%

0.0%

Tax ID

4793

Created On: 10/25/2021 11:30:30 AM

Mailing Address:

STEVEN L KESSENICH

469 WHITE RIVER RD

HARRISON NE 69346

Acres

2020

0

0

0

| Description | Updated: 10/25/2021 |
|---------------|----------------------------------|
| Tax ID: | 38644 |
| PIN: | 04-006-2-50-04-19-1 02-000-20000 |
| Legacy PIN: | |
| Map ID: | |
| Municipality: | (006) TOWN OF PAVETELD |

Map ID:

Municipality: (006) TOWN OF BAYFIELD

STR: S19 T50N R04W

Description: NW NE IN V.958 P.823 LESS PAR IN DOC 2021R-591146

Recorded Acres: 19.610

Calculated Acres: 19.610
Lottery Claims: 0
First Dollar: No
ESN: 105

Tax Districts

Updated: 10/25/2021

STATE

O4

COUNTY

006

TOWN OF BAYFIELD

040315

SCHL-BAYFIELD

001700

TECHNICAL COLLEGE

Recorded Documents Updated: 3/15/2006
WARRANTY DEED
Date Recorded: 9/27/2021 2021R-591146

Date Recorded: 9/27/2021 2021R-591146

WARRANTY DEED

Date Recorded: 11/22/2006 2006R-510659 958-823 ■ WARRANTY DEED

 Date Recorded: 7/10/2006
 2006R-507743 948-218

 ☑ CONVERSION

 Date Recorded:
 706-369

2006R-510659 958-823 2006R-507743 948-218

04-006-2-50-04-19-1 02-000-10000

HISTORY E Expand All History

White=Current Parcels

Pink=Retired Parcels

Tax ID: 4793 Pin: 04-006-2-50-04-19-1 02-000-10000 Leg. Pin: 006104206000

38644 This Parcel Parents Children

Town, City, Village, State or Federal **Permits May Also Be Required**

Legal Case

LAND USE - X (2021CX000041)

SANITARY -

SIGN -

SPECIAL -

CONDITIONAL -

BOA -

BAYFIELD COUNTY PERMIT

WEATHERIZE AND POST THIS PERMIT ON THE PREMISES DURING CONSTUCTION

No.

22-0057

Issued To: Steven Kessenich

Par in

Location: NW 1/4 of NE 1/4 Section 19 Township

50

Range **4** W.

Town of **Bayfield**

In V. 958 P. 823 LESS par in Doc #2021R-591146

Gov't Lot

Lot

Block

Subdivision

CSM#

After-the Fact Residential Accessory Addition (to Garage)

For:

[1-Story]; Porch (27' x 11') = 297 sq. ft.; Height of 10'; Deck (27' x 8') = 216 sq. ft.

(Disclaimer): Any future expansions or development would require additional permitting.

Condition(s): Court Order requires this structure located on the property identified as part of the complaint may not be used for human habitation.

Must meet and maintain setbacks. No pressurized water may enter the structure.

You are responsible for complying with state and federal laws concerning construction near or on wetlands, lakes, and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the department of natural resources wetlands identification web page or contact a department of natural resources service center (715) 685-2900.

NOTE: This permit expires one year from date of issuance if the authorized construction work or land use has not begun.

> Changes in plans or specifications shall not be made without obtaining approval. This permit may be void or revoked if any of the application information is found to have been misrepresented, erroneous, or incomplete.

This permit may be void or revoked if any performance conditions are not completed or if any prohibitory conditions are violated.

Todd Norwood, AZA

Authorized Issuing Official

April 20, 2022

Date

SUBMITS COMPLETED APPLICATION, TAX STATEMENT AND FEE TO: **Bayfield County** Planning and Zoning Depart. PO Box 58 Washburn, WI 54891 (715) 373-6138



Date Stamp (Received) MAR 1 4 2022

Bayfield Co. Planning and Zoning Agency

| Permit #: | 22-0054 |
|--------------|-----------|
| Date: | 4-30-2032 |
| Amount Paid: | |
| Other: | |
| Refund: | |

INSTRUCTIONS: No permits will be issued until all fees are paid. Checks are made payable to: Bayfield County Zoning Department

| | | | ALL PERMITS | HAVE BEEN ISSUED | TO APP | LICANT. | Origin | al Applicati | ion <u>MUS</u> | [be submit | ted | FILL O | או או דע | IK (<mark>r</mark> | IO PE | NCIL) |
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| Address of Property | | 1- | 20 | | City/Sta | ate/Zip: | 11 | 112 | 0100 | (i | 100 | EPIC, | | Call | Phone: | |
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| San San | eH | (Fr | rend | Con | tractor | Phone: | | Plumber: | | | | | A | Plum | ber Pho | ne: |
| Authorized Agent: Owner(s)) | (Person Signi | ing Applica | ation on behalf | of Agei | nt Phon | ne: | | Agent Maili | ing Address | (include City | /State/ | Zip): | | | ten Auth | orization |
| PROJECT LOCATION | egal Descr | iption: | (Use Tax Stat | | Tax ID# | ! | 384 | 944 | | | Reco | rded Docu | ıment: (S | | | |
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In the box below: Draw or Sketch your Property (regardless of what you are applying for)

(1)Show Location of: **Proposed Construction** (2) Show / Indicate: North (N) on Plot Plan

(4)

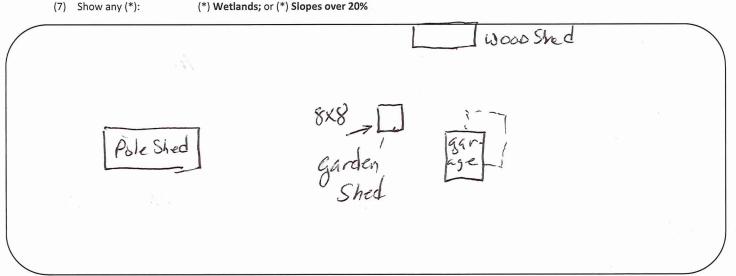
Show:

(3)Show Location of (*): (*) Driveway and (*) Frontage Road (Name Frontage Road)

All Existing Structures on your Property (*) Well (W); (*) Septic Tank (ST); (*) Drain Field (DF); (*) Holding Tank (HT) and/or (*) Privy (P)

Show: (5) (*) Lake; (*) River; (*) Stream/Creek; or (*) Pond (6) Show any (*):

Show any (*): (*) Wetlands; or (*) Slopes over 20%



Please complete (1) - (7) above (prior to continuing)

Changes in plans must be approved by the Planning & Zoning Dept.

Fill Out in Ink - NO PENCIL

(8) Setbacks: (measured to the closest point)

| Description | Setback Measurement | | | Description | Setb Measur | |
|---|--------------------------|---------------|------|--|---------------------|------------------|
| | | | | | | |
| Setback from the Centerline of Platted Road | 800 | Feet | | Setback from the Lake (ordinary high-water mark) | | Feet |
| Setback from the Established Right-of-Way | 800 | Feet | | Setback from the River, Stream, Creek | | Feet |
| | | | | Setback from the Bank or Bluff | _ | Feet |
| Setback from the North Lot Line | 200 | Feet | | | - | |
| Setback from the South Lot Line | 200 | Feet | | Setback from Wetland | 100 | Feet |
| Setback from the West Lot Line | 200 | Feet | | 20% Slope Area on the property | ☐ Yes | □₩o |
| Setback from the East Lot Line | 450 | Feet | | Elevation of Floodplain | | Feet |
| Setback to Septic Tank or Holding Tank | 100 | Feet | | Setback to Well | 40 | Feet |
| Setback to Drain Field | | Feet | | | - | |
| Setback to Privy (Portable, Composting) | _ | Feet | | | | |
| Prior to the placement or construction of a structure within ten (10) f | eet of the minimum requi | red sethack t | ha h | oundary line from which the setback must be measured must be visible from or | a previously survey | ed corner to the |

other previously surveyed corner or marked by a licensed surveyor at the owner's expense.

Prior to the placement or construction of a structure more than ten (10) feet but less than thirty (30) feet from the minimum required setback, the boundary line from which the setback must be measured must be visible from one previously surveyed corner to the other previously surveyed corner, or verifiable by the Department by use of a corrected compass from a known corner within 500 feet of the proposed site of the structure, or must be narked by a licensed surveyor at the owner's expense

(9) Stake or Mark Proposed Location(s) of New Construction, Septic Tank (ST), Drain field (DF), Holding Tank (HT), Privy (P), and Well (W).

NOTICE(s):

All Land Use Permits Expire One (1) Year from the Date of Issuance if Construction or Use has not begun. For the Construction of New One & Two Family Dwelling: ALL Municipalities Are Required To Enforce The Uniform Dwelling Code.

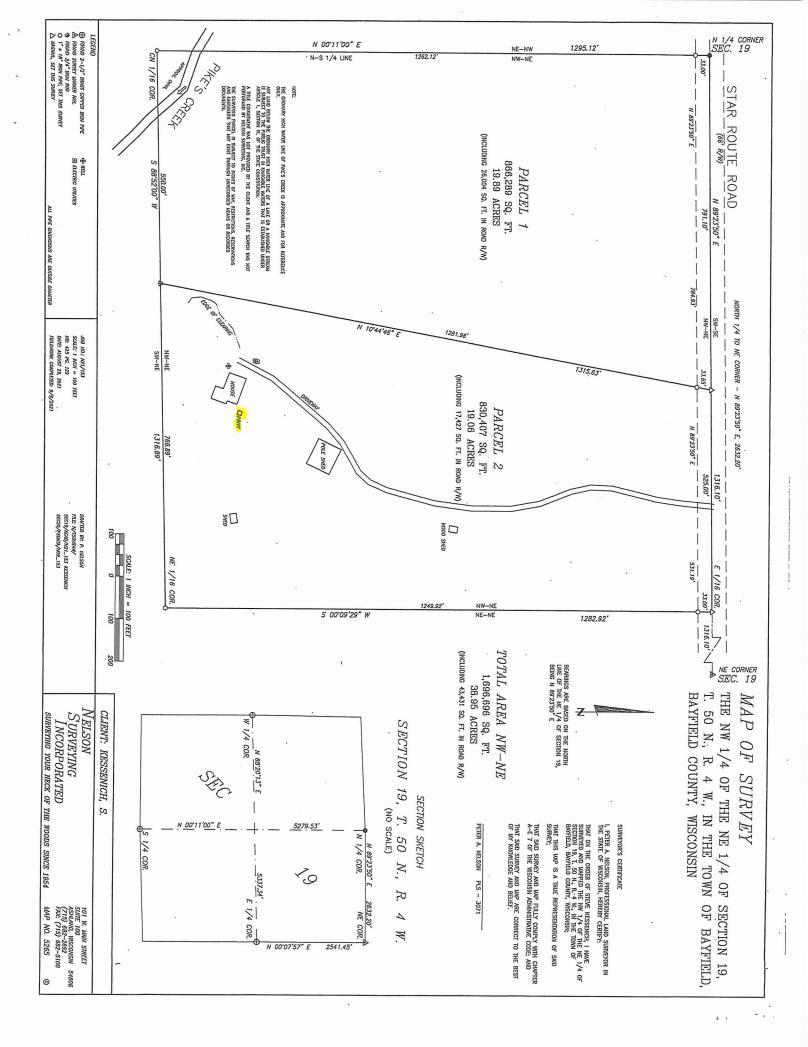
The local Town, Village, City, State or Federal agencies may also require permits.

If subject property is part of a Condominium Plat, applicant hereby certifies and represents that applicant has all necessary approvals and recorded documents required to complete the project for which this permit is sought including requirements set forth in Wisconsin statutes pertaining to condominium associations, the Declaration of the Condominium Association in which the property is located, and all other rules, regulations and requirements pertaining to that Condominium Association.

You are responsible for complying with state and federal laws concerning construction near or on wetlands, lakes, and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the department of natural resources wetlands identification web page or contact a department of natural resources service center (715) 685-2900.

| Issuance Information (County Use O | | # of bedrooms: | Sanitary Date: | | | |
|--|--------------------|--|--|--|--|--|
| Permit Denied (Date): | Reason for Denial: | THE PARTY OF THE PARTY. | and (first) sites | | | |
| Permit #: 22-0054 | Permit Date: 4 | 6-2022 | | | | |
| Is Parcel in Common Ownership | ed of Record) | Mitigation Required Mitigation Attached | Yes No | Affidavit Required Affidavit Attached Yes No | | |
| Granted by Variance (B.O.A.) ☐ Yes ☐ No Case #: | | Previously Granted by Yes No | / Variance (B.O.A.) | : #: | | |
| | es 🗆 No | Were Property Line | es Represented by Owner Was Property Surveyed | ☐ Yes ☐ No ☐ Yes ☐ No | | |
| Inspection Record: Collect Cal | re (2021 CX | 000041) | A STATE OF THE PARTY OF THE PAR | Zoning District () Lakes Classification () | | |
| Date of Inspection: | Inspected by: | | | Date of Re-Inspection: | | |
| Condition(s): Town, Committee or Board Conditions Attached? Yes No – (If No they need to be attached.) Signature of Inspector. Date of Approval: | | | | | | |
| Hold For Sanitary: Hold For T | BA: Hold For Aff | idavit: 🗌 | Hold For Fees: 🗌 | 7-19-22 | | |

(®August 2021) ®®January 2000



BAYFIELD COUNTY SANITARY PERMIT APPLICATION

| Zoning District | |
|-----------------|--|
| Lakes Class | |

| 1. APPLICATION INFORMATION | Soil Test | Count | у | | | |
|---|--------------------------|--|-----------------|------------------------|----------------|--|
| (Please Print All Information) Property Owner's Name: | No: | Permit | : No: | | | |
| Address of Property: 31715 STALRT Rd BRYFIELD WILL Property Owner's Mailing Address: | County: Bayfield | | | | | |
| Address of Property: | Property Location: | | | | | |
| 31715 STALRT Rd BRYTIELD WI | 1/4 1/4 | i, S T | N, R | E | (or) W | |
| Property Owner's Mailing Address: | Township: | G | ov. Lot #: | | | |
| 469 White River Rd Harrison NEGG346 | | | | | | |
| Property Owner's Mailing Address: 469 White River Rd Havrison NECG346 City, State Zip Code Phone Number HAVVISON NE 6934C 6882357927 | Lot # Block #: | CSM #: CSN | // Doc# Su | ubdivision Nar | ne | |
| HANTISCH NE 6934C 6082357927 II. TYPE OF BUILDING: (Check One) | | | | | | |
| State Owned | Tax ID#: | | | | | |
| Public (Explain the use/purpose) | | al. | | | | |
| 1 or 2 Family Dwelling - No. of Bedrooms | 3864 | 9 | | | | |
| III. TYPE OF PERMIT: (Check only one box on line A. Check box | on line B, if applicable | e) | | LICENCE IN | | |
| A) New Replacement County | Private Interceptor | | | | | |
| | | | | | | |
| Reconnection Repair Revision | n ** 💹 Transfe | er of Owner (Lis | t Previous C | Owner below) |) | |
| | <u></u> | | | | | |
| B) A Sanitary Permit was previously issued. <i>Previous</i> | Permit Number | Date Is | ssued. | | | |
| | | | | | | |
| IV. TYPE OF NON-PLUMBING SYSTEM: (Check One) * Replace | ments need previous | permit number | and date filled | d out above | | |
| C) Pit Privy Vault Privy (Vault size: | _gallons orcubi | ic yards) | | | | |
| | | | | | | |
| Portable Privy Camping Transfer Unit Containe | r Composti | ing Toilets | Incinera | ting Toilet | | |
| V. ABSORPTION SYSTEM INFORMATION: | | | | | | |
| | | | . System | 7. Final C | | |
| required (oq.r.t.) | 7 Day 7 Sq.Ft.) | (Min. Inch) | Elev.(Feet) |) Elev. (F | -eet) | |
| VI. TANK Capacity | | | | | | |
| INFORMATION: In Gallons Total # of Man Existing Gallons Tanks | ufacturer's Prefab. | | Steel - | per - Plastic | Exper. | |
| Tanks Tanks | Name Concrete | e Constructed | gla | ass | App. | |
| Septic Tank or | | | | | | |
| Holding Tank Lift Pump Tank / | | | | | | |
| Siphon Chamber | | - | | | | |
| VII. RESPONSIBILITY STATEMENT: | | | | | | |
| I the undersigned, assume responsibility for installation of the onsite | | | | | | |
| Owner's Name(s): (Print) If applying for Section C above | Owner's Signature | e (s) : (No Stamps | 3) | | | |
| Plumbaria Namas (Print) Is 11 6 9 11 12 1 | of Las | serul | 14574555 | | | |
| Plumber's Name: (Print) If applying for Section A or B) above Plumber | r's Signature: (No Sta | amps) | MP/MPRSV | V No: | | |
| Plumber's Address: (Street, City State, Zip Code) | Home Dhana | | D : D | , | | |
| Flumber's Address. (Street, City State, Zip Code) | Home Phone: | | Business Pl | hone: | | |
| VIII. COUNTY / DEPARTMENT USE ONLY | | | | | Chica state of | |
| Disapproved Sanitary Permit/ | ransfer Fee: Date | e Issued: Iss | suina Agent's | Signature / D | late: | |
| Approved Owner Given Initial | Date | 100 | ding rigorica | olghature / D | ate. | |
| Adverse Determination | | | | | | |
| IX. CONDITIONS OF APPROVAL / REASONS FOR DISAPPROV | AL: | *10000000000000000000000000000000000000 | Spirite and the | STATE OF THE PARTY OF | 5-01-3 | |
| | | The state of the s | | | | |
| | | | | | | |
| | | | | | | |
| * | | | | | 1 | |

Submit To: Bayfield County Zoning Department, PO Box 58, Washburn, WI 54891

Septic / holding tank to lake, river, stream or pond

u/forms/sanitary/bayfieldcountysanitaryapplication Revise: June 2018

Privy to closest lot line

1.

2.

3.

4.

5.

6.

7.

Proofed by: _

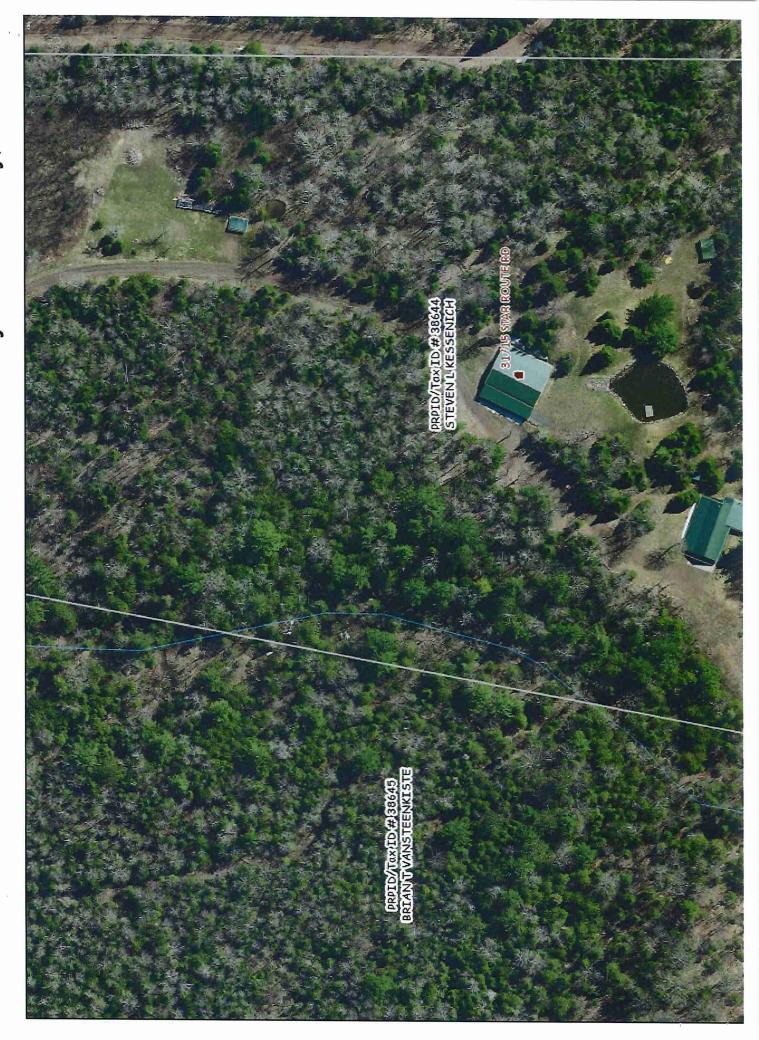
PRIVY AGREEMENT

| 7 | | | (A ⁻ | | NITARY PERMIT APPLICAT | TION) | |
|------|---|-------------------------------------|--|---|---|--|---------------------------|
| - Pi | roperty Owner(s): | | ſ | | | | |
| | Steven L. K | iesse | nich | | | | |
| . M | ailing Address: Rive | r Rd | Prope | erty Address | -RP ! WI 54814 | | |
| | Harrison, NE | 6934 | G Cartin | BAYFIELD | WI 54814 | | |
| Le | egal Description: | | , 1 | on, Township, Rar | | | |
| | 1/4, | 1/4, | S. | Т | N, R W | | |
| Go | ov't Lot Lot# | CS | SM# | Vol & Page | CSM Doc. # | - | |
| Lo | t(s) # Block(s) | # Su | ıbdivision | | | Define Ter | |
| | | | | | | Return To: ZONING | |
| Ta | x ID# | 1 | | Date: | 3, | | |
| | 3864 | 7 | | | | | |
| 1. | NO PLUMBING will b | e installed | in the habi | table building. | | , | |
| | NO PLUMBING inclureceiving domestic was or holding tank exists, A privy vault / pit shall | aste, will b or a valid | e installed sanitary pe | in the premises ermit to install suc | served by the privy u ch a system has been | y facilities, or any other fixture or nless a code compliant soil absorp issued. | receptacle tion system |
| | Table 1 | Well | Building | Lake / Stream | Additional County S | etbacks | |
| | OPEN PIT | 50 Ft. | 15 Ft. | Min. 75 Ft. | | 1 | |
| | SEALED VAULT | 25 Ft. | 15 Ft. | Min. 75 Ft. | | | |
| 4. | Privies for public buildi | ngs shall | comply with | SPS 353.63. | | | |
| 5. | | | | | | nanner so as to exclude flies, rats st one foot above the roof. | and other |
| 6. | shall have a minir | nber of a num stora mber of a | vault privy : ge capacity pit privy sl | shall conform wi | or one cubic yard. | f s. SPS 384.25 relating to holding | |
| | The privy shall be kept Adm. Code. | clean and | d sanitary. | The contents of | the pit or vault shall i | oe disposed in accordance with NR | . 113, Wis. |
| | | | | | | ocument shall be recorded by the Fe property where the privy is installed | |
| | Printed Owner(s) Name(| s) | | | This instrument was s | igned before me in the State of Wiscon County of Bayfield | sin, |
| | | | | | On this | day, 201 | |
| | 0 1 | | | | by: | | |
| | Owner(s) Signature: | | | | • | Notary Public | |
| | the Les | senid | , | | My commission expire | es on: | |

Drafted By: _____ (must be filled out by person submitting form) This building not @December 2012

Iforms/sanitary/privyform-@June2018

a privy i accessory building (GARDEN SHED)



The "privy" sulding was given tome by a friend where), I helped him build it years ago so uget red of it I guess he figured of should have hauled it there on a trailer as its on skeds out an application NEW Mailing address 469 White River Rd Harrison, NE 69346 cell (608) 235 7927

BAYFIELD COUNTY PLANNING AND ZONING DEPARTMENT

Bayfield County Courthouse 117 East Fifth Street Post Office Box 58 Washburn, WI 54891

Telephone: (715) 373-6138 Fax:

(715) 373-0114

Notice of Violation: Tax ID 38644 (31715 Star Route Rd)

E-mail:

zoning@bayfieldcounty.org Web Site: www.bayfieldcounty.org/zoning

February 17, 2022

Steven Kessenich 1920 Tranquility Ln The Villages, FL 32162 RECEIVED

MAR 14 2022

Bayfield Co. Planning and Zoning Agency

Steven Kessenich:

While working through the after-the-fact applications for the pole building and garage additions, the Bayfield County Planning and Zoning Department (Department) identified two additional structures in violation of no permits on the above-referenced property. The Department requires after-the-fact permits for the privy and the 12' x,22.5' shed located approximately 200ft east of the privy. Garden Shed

Per the Bayfield County Zoning Ordinance, after-the-fact permits are double the original fee. You will need to submit the enclosed Bayfield County sanitary application and privy agreement for the privy. The Bayfield County sanitary permit fees will be \$300 payable to Bayfield County Zoning (\$150 + \$150 penalty fee) and \$30 payable to Register of Deeds to record the privy agreement. You'll need to identify details on the sanitary application for the type of privy. For example, if it's a vaulted privy, you need to identify the vault material and capacity. If it's a composting toilet, we need the make and model. The shed requires a land use application for an accessory structure. The land use fee for the shed is \$150 (\$75 + \$75 penalty fee) payable to Bayfield County Zoning.

This letter is to officially notify you that the department will require you to obtain the necessary permit to correct the violation. Should the violation not be corrected on or before March 18, 2022, enforcement action may be initiated. Daily fines imposed by the court of up to \$500.00 per day per each violation could be imposed. This is an eventuality we would hope to avoid.

Please feel free to contact me at (715) 373-6138 or at todd.norwood@bayfieldcounty.wi.gov with any questions. Thank you for your cooperation in this matter.

Sincerely,

BAYFIELD COUNTY PLANNING AND ZONING DEPARTMENT

Todd Norwood, Assistant Zoning Administrator Bayfield County Planning and Zoning Department

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FILED 03-14-2022 Clerk of Court Bayfield County 2021CX000041

DATE SIGNED: March 14, 2022

STATE OF WISCONSIN Circuit Court Honge IT COURT

BAYFIELD COUNTY

BAYFIELD COUNTY, a political Subdivision of the State of Wisconsin 117 East Fifth Street Washburn, WI 54891,

vs.

Plaintiff,

STIPULATION FOR ORDER AND ORDER

STEVEN L. KESSENICH 31715 Star Route Road

Bayfield, WI 54814

Defendant.

Code: 30703

IT IS HEREBY STIPULATED, by and between the parties in the above-titled matters that the court may enter the following order both matters without further notice to any party:

- 1. The defendant hereby enters a plea of no contest on count 1 in the above-referenced action. If a plea of not-guilty has already been entered, the defendant who entered that plea hereby agrees to withdraw that plea and enter a plea of no contest.
- 2. Counts 2, 3 and 4 are dismissed.
- 3. As to count 1, the Court may impose a forfeiture of \$9,350, together with costs of \$2,652 against the defendant, for a total of \$12,002.00 against the defendant, to be paid sixty (60) days of the Order.
- 4. As to Count 5, the court may impose an injunction requiring the Defendant to obtain after-the-fact permits for the expansion of the Garage building as identified in the Complaint, the Storage building as identified in the Complaint, a privy located on the property that was found after the filing of the complaint, and a 12' X 22.5' shed found on the property after the filing of the complaint and further requiring that no structure on the property identified in the complaint may be used for human habitation.

Steven Kessenich, Defendant

Date

Linda I. Coleman, Attorney for

Bayfield County Zoning Department

Date

ORDER

Based upon the above Stipulation, IT IS ORDERED AND DECREED AS FOLLOWS:

- 1. As to Count 1, a forfeiture is hereby imposed against the defendant in the amount of \$9,350 which shall be paid to the Bayfield County Clerk of Court within 60 days of this Order.
- 2. Costs are assessed against the defendant in the amount of \$2,652, which shall be paid to the Bayfield County Clerk of Court within 60 days of this Order.
- 3. Counts 2, 3 and 4 are dismissed.
- 4. The Defendant shall obtain after-the-fact permits for the expansion of the Garage building as identified in the Complaint, the Storage building as identified in the Complaint, a privy located on the property that was found after the filing of the complaint, and a 12' X 22.5' shed found on the property after the filing of the complaint and further requiring that no structure on the property identified in the complaint may be used for human habitation.

FILED 10-25-2021 Clerk of Court Bayfield County 2021CX000041

STATE OF WISCONSIN

CIRCUIT COURT

BAYFIELD COUNTY

BAYFIELD COUNTY, a political Subdivision of the State of Wisconsin

117 East Fifth Street Washburn, WI 54891,

SUMMONS

VS.

Plaintiff,

STEVEN L. KESSENICH

31715 Star Route Road Bayfield, WI 54814

Defendant.

Code: 30703

THE STATE OF WISCONSIN

To: Steven L. Kessenich 31715 Star Route Road Bayfield, WI 54814

You are hereby notified that the Plaintiff above named has filed a lawsuit or other legal action against you. The Complaint, which is attached, states the nature and basis of the legal action.

Within twenty (20) days of receiving this Summons, you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the Complaint. The court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the Court, whose address is: Clerk of Court, Bayfield County Courthouse, 117 East Fifth Street, Washburn, Wisconsin 54891, and to Linda I. Coleman, Plaintiff's attorney, whose address is Spears, Carlson & Coleman, 122 West Bayfield Street, Washburn, Wisconsin 54891. You may have an attorney help or represent you.

If you do not provide a proper answer within twenty (20) days, the Court may grant judgment against you or the award of money or other legal action requested in the Complaint, and you may lose your right to object to anything that is or may be incorrect in the Complaint. The judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated this 25 day of October, 2021

SPEARS, CARLSON & COLEMAN, by

Linda I. Coleman, SBN 1088532

Bayfield County Corporation Counsel

Attorneys for the Plaintiff, Bayfield County

122 West Bayfield Street

Washburn, WI 54891 (715) 373-2628

FILED 10-25-2021 Clerk of Court Bayfield County 2021CX000041

STATE OF WISCONSIN

CIRCUIT COURT

BAYFIELD COUNTY

BAYFIELD COUNTY, a political Subdivision of the State of Wisconsin 117 East Fifth Street Washburn, WI 54891,

vs.

Plaintiff,

STEVEN L. KESSENICH 31715 Star Route Road Bayfield, WI 54814

COMPLAINT

Code: 30703

Defendant.

The above named plaintiff, Bayfield County, by its attorneys, Spears, Carlson & Coleman, by Linda I. Coleman, Bayfield County Corporation Counsel, as and for its claims against the above-named defendant, alleges and shows to the Court as follows:

FIRST CAUSE OF ACTION

- 1. Plaintiff is a political subdivision of the State of Wisconsin with its principal offices located at 117 East Fifth Street, Washburn, Wisconsin.
- 2. The defendant, upon information and belief, an adult resident of the state of Wisconsin residing at 31715 Star Route Road in Bayfield, Wisconsin.
- 3. The defendant, Steven Kessenich, is the owner of the following described real estate located in Bayfield County, State of Wisconsin, hereinafter the "Kessenich Property":
 - The Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼), Section Nineteen (19), Township Fifty (50) North, Range Four (4) West, Town of Bayfield, Bayfield County, Wisconsin.
- 4. On January 9, 2007, defendant was issued a sanitary permit to install a non-pressurized in-ground system on the Kessenich Property.
- 5. The sanitary permit issued to defendant expired on January 9, 2009.

- 6. The sanitary permit issued to defendant was never renewed and, by its terms, expired approximately 12.5 years ago.
- 7. On January 23, 2007, plaintiff received an application from defendant for a permit for an accessory building, namely a garage, which was represented to have no sanitary connection and be 1800 square feet in area (hereinafter "Garage").
- 8. The Garage permit was granted on the condition that "Structure may not be used for human habitation or living space unless the zoning and sanitary requirements are satisfied."
- 9. On July 7, 2010, plaintiff received an application from defendant for another accessory building, this time a storage building, which was represented to have no sanitary connection and be 1800 square feet in area (hereinafter "Storage").
- 10. The Kessenich Property, upon information and belief, is presently listed for sale and is represented as having 2 bedrooms and a partial bath in a 2,700 square foot building as well as a 60'X60' "pole barn" (60' X 60' being 3,600 square feet).
- 11. Upon information and belief, the original Garage has been expanded to be 2,700 square feet rather than 1,800 square feet.
- 12. Upon information and belief, the original Garage contains a bathroom and living space, despite the fact the permit authorizing said structure prohibited the same.
- 13. Upon information and belief, the Storage building has been expanded to be 3,600 square feet rather than the 1,800 square feet that was permitted.
- 14. Upon information and belief, there is no sanitary permit in effect on the Kessenich Property but there is a bathroom that is being or has been used without a permit.
- 15. Pursuant to Bayfield County Zoning Ordinance Section 13-1-21(b)(1), a land use permit shall be required for any new residence, as well as any building or structure that is structurally altered.
- 16. Defendant does not have a permit for a residence nor a permit to expand the Garage beyond 1,800 square feet.

- 17. Based upon a review of air photography, it appears that the Garage was expanded without a permit on or before December 31, 2015.
- 18. Section 13-1-103(c) of the Bayfield County Zoning Ordinance provides:

Penalty. Any person, firm, or corporation and/or contractor found guilty of violating any provision of this Chapter shall forfeit a sum of not less than \$25.00 nor more than \$500.00, together with the full costs of such prosecution, plus the costs of any compliance required to rectify the violation. Each day's failure to comply shall constitute a separate violation.

19. Based upon defendant's violation as set forth above, the defendant is indebted to the plaintiff in the amount of not less than \$25.00, nor more than \$500.00, per day for each day the aforesaid violation continues from the date that the Garage on the Kessenich Property was expanded without a permit, which was no later than December 31, 2015.

SECOND CAUSE OF ACTION

- 20. Plaintiff realleges and incorporates paragraphs 1-19, above.
- 21. Pursuant to Bayfield County Zoning Ordinance Section 13-1-21(b)(1), a land use permit shall be required for any new residence, as well as any building or structure that is structurally altered.
- 22. Defendant does not have a permit to expand the Storage beyond 1,800 square feet.
- 23. Based upon a review of air photography, it appears that the Storage building was expanded without a permit on or before December 31, 2015.
- 24. Section 13-1-103(c) of the Bayfield County Zoning Ordinance provides:

Penalty. Any person, firm, or corporation and/or contractor found guilty of violating any provision of this Chapter shall forfeit a sum of not less than \$25.00 nor more than \$500.00, together with the full costs of such prosecution, plus the costs of any compliance required to rectify the violation. Each day's failure to comply shall constitute a separate violation.

25. Based upon defendant's violation as set forth above, the defendant is indebted to the plaintiff in the amount of not less than \$25.00, nor more than \$500.00, per day for each day the aforesaid violation continues from the date that the Storage building on the

Kessenich Property was expanded without a permit, which was no later than December 31, 2015.

THIRD CAUSE OF ACTION

- 26. Plaintiff realleges and incorporates paragraphs 1-25, above.
- 27. Upon information and belief, the defendant is residing in the Garage and has done so since April 23, 2009.
- 28. Pursuant to Bayfield County Zoning Ordinance Section 13-1-21(b)(1), a land use permit shall be required for any new residence, as well as any building or structure that is structurally altered or any change in use of the land or where any use of the land is altered.
- 29. Section 13-1-103(c) of the Bayfield County Zoning Ordinance provides:

Penalty. Any person, firm, or corporation and/or contractor found guilty of violating any provision of this Chapter shall forfeit a sum of not less than \$25.00 nor more than \$500.00, together with the full costs of such prosecution, plus the costs of any compliance required to rectify the violation. Each day's failure to comply shall constitute a separate violation.

30. Based upon defendant's violation as set forth above, the defendant is indebted to the plaintiff in the amount of not less than \$25.00, nor more than \$500.00, per day for each day the aforesaid violation continues from the date that the Garage building was used as a residence without a permit, which, upon information and belief, began no later than April 23, 2009.

FOURTH CAUSE OF ACTION

- 31. Plaintiff realleges and incorporates paragraphs 1-30, above.
- 32. Upon information and belief, the Garage on the Kessenich Property is designed for independent human habitation and is not serviced by a public sewer.
- 33. Section 15-1-7 of the Bayfield County Zoning Ordinance provides as follows:

All structures or premises in the County that are permanently or intermittently intended for human habitation or occupancy, which are not serviced by a public sewer, shall have a system for holding or treatment and dispersal of sewage and wastewater which complies with the provisions of this ordinance.

- 34. The defendant does not have a system for holding or treatment and dispersal of sewage and wastewater which complies with the provisions of the Bayfield County Ordinances to serve the Garage.
- 35. Section 15-1-23(a) of the Bayfield County Zoning Ordinance provides as follows:
 - Violations of the provisions of this ordinance and subject to the terms of Section 1-1-6, Chapter 1-2 and Section 13-1-103 of the Bayfield County Code of Ordinance.
- 36. Section 13-1-103(c) of the Bayfield County Zoning Ordinance provides as follows:
 - Penalty. Any person, firm, or corporation and/or contractor found guilty of violating any provision of this Chapter shall forfeit a sum of not less than \$25.00 nor more than \$500.00, together with the full costs of such prosecution, plus the costs of any compliance required to rectify the violation. Each day's failure to comply shall constitute a separate violation.
- 37. Based upon defendant's violations as set forth above, the defendant is indebted to the plaintiff in the amount of not less than \$25.00, nor more than \$500.00, per day for each day the aforesaid violation continues from the date that the Garage was intended for human habitation and lacked a sanitary permit which, upon information and belief, began on or before April 23, 2009.

FIFTH CAUSE OF ACTION

- 38. Plaintiff realleges and incorporates paragraphs 1-37, above.
- 39. Upon information and belief, the violations referred to above will continue until appropriate injunctive relief is granted.

WHEREFORE, plaintiff requests judgment as follows:

- 1. With respect to its first cause of action, a judgment of forfeiture against the defendant of not less than \$25.00 per day nor more than \$500.00 per day for each day that the violation alleged in the complaint continues, commencing on the date that the Garage was expanded without a permit which occurred no later than December 31, 2015.
- 2. With respect to its second cause of action, a judgment of forfeiture against the defendant of not less than \$25.00 per day nor more than \$500.00 per day for each day that the violation alleged in the complaint continues, commencing on the date that the Storage building was expanded without a permit which occurred no later than December 31, 2015.
- 3. With respect to its third cause of action, a judgment of forfeiture against the defendant of not less than \$25.00 per day nor more than \$500.00 per day for each day that the violation alleged in the complaint continues, commencing on the date that the

- Garage was used for human habitation which, upon information and belief, began no later than April 23, 2009.
- 4. With respect to its fourth cause of action, a judgment of forfeiture against the defendant of not less than \$25.00 per day nor more than \$500.00 per day for each day that the violation alleged in the complaint continues, commencing on the date that the Garage was intended for human habitation and lacked a sanitary permit which, upon information and belief, began on or before April 23, 2009
- 5. With respect to its fifth cause of action, an injunction requiring the defendant to remove any expansion of the Garage or Storage building, or apply for and obtain an after-the-fact permit for such expansion; an injunction requiring the defendant to cease using the Garage for human habitation or apply for and obtain a permit to use the same as a residence; and an injunction requiring the defendant to remove any unpermitted private wastewater system on the Kessenich Property or obtain an after-the-fact permit to maintain a system
- 6. Plaintiff's costs, disbursements and fees incurred herein.
- 7. Such other relief as may be just and appropriate.

Dated this 25 Day of October, 2021.

SPEARS, CARLSON & COLEMAN, by

Linda I. Coleman, State Bar No. 1088532

Bayfield County Corporation Counsel Attorneys for the plaintiff, Bayfield County

122 West Bayfield Street

Washburn, WI 54891

(715) 373-2628

Real Estate Bayfield County Property Listing

Today's Date: 4/21/2022

Property Status: Current

Created On: 10/25/2021 11:30:30 AM

| Description | Updated: 10/25/ |
|-------------|----------------------------------|
| Tax ID: | 38644 |
| PIN: | 04-006-2-50-04-19-1 02-000-20000 |

Legacy PIN:

STR:

ESN:

Map ID: Municipality:

Description:

(006) TOWN OF BAYFIELD

S19 T50N R04W

NW NE IN V.958 P.823 LESS PAR IN DOC

2021R-591146

Recorded Acres: 19.610 19.610 Calculated Acres: Lottery Claims: 0 First Dollar:

Yes 105

| Tax Districts | Updated: 10/25/202 | | | |
|---------------|--------------------|--|--|--|
| 1 | STATE | | | |
| 04 | COUNTY | | | |
| 006 | TOWN OF BAYFIELD | | | |
| 040315 | SCHL-BAYFIELD | | | |
| 001700 | TECHNICAL COLLEGE | | | |

| P | Recorded Documents | Updated: 3/15/2006 |
|---|---------------------------|--------------------|
| | | |

WARRANTY DEED Date Recorded: 9/27/2021 2021R-591146

WARRANTY DEED Date Recorded: 11/22/2006 2006R-510659 958-823

WARRANTY DEED

Date Recorded: 7/10/2006 2006R-507743 948-218

CONVERSION

Date Recorded: 706-369 Ownership Updated: 10/25/2021 HARRISON NE STEVEN L KESSENICH

Billing Address: Mailing Address: STEVEN L KESSENICH STEVEN L KESSENICH 469 WHITE RIVER RD 469 WHITE RIVER RD HARRISON NE 69346 HARRISON NE 69346

| P | Site Address | * indicates | Private | Road |
|---|------------------|-------------|---------|------|
| - | Ditto / taun Coo | marcacos | | |

31715 STAR ROUTE RD BAYFIELD 54814

| Property Assessment | | Updated: 3/14/2022 | | |
|------------------------|--------|--------------------|--------|--|
| 2022 Assessment Detail | | | | |
| Code | Acres | Land | Imp. | |
| G1-RESIDENTIAL | 1.000 | 9,000 | 87,000 | |
| G6-PRODUCTIVE FOREST | 18.610 | 16,700 | 0 | |
| 2-Year Comparison | 2021 | 2022 | Change | |
| Land: | 0 | 25,700 | 100.0% | |
| Improved: | 0 | 87,000 | 100.0% | |
| Total: | 0 | 112,700 | 100.0% | |

| Property History | |
|------------------|--|
|------------------|--|

Parent Properties Tax ID 4793 04-006-2-50-04-19-1 02-000-10000

HISTORY Expand All History

White=Current Parcels

Pink=Retired Parcels

Tax ID: 4793 Pin: 04-006-2-50-04-19-1 02-000-10000 Leg. Pin: 006104206000 **Parents Children** 38644 This Parcel

Town, City, Village, State or Federal **Permits May Also Be Required**

Court Case

LAND USE - X (2021CX000041)

SANITARY -

SIGN -

SPECIAL -

CONDITIONAL -

BOA –

BAYFIELD COUNTY PERMIT

WEATHERIZE AND POST THIS PERMIT ON THE PREMISES DURING CONSTUCTION

No.

22-0054

Issued To: Steven Kessenich

Par in

Location: NW 1/4 of NE 1/4 Section 19 Township Town of **Bayfield 50** Range **4** W.

In V. 958 P. 823 LESS par in Doc #2021R-591146

Gov't Lot

Lot

Block

Subdivision

CSM#

After-the Fact Residential Accessory

For:

[1-Story]; Garden Shed (8' x 8') = 64 sq. ft.] Height of 8 feet (Originally Built as a Privy)

(Disclaimer): Any future expansions or development would require additional permitting.

Condition(s): Court Order requires this structure located on the property identified as part of the complaint may not be used for human habitation.

Must meet and maintain setbacks. No pressurized water may enter the structure.

You are responsible for complying with state and federal laws concerning construction near or on wetlands, lakes, and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the department of natural resources wetlands identification web page or contact a department of natural resources service center (715) 685-2900.

NOTE: This permit expires one year from date of issuance if the authorized construction work or land use has not begun.

to have been misrepresented, erroneous, or incomplete.

Changes in plans or specifications shall not be made without obtaining approval. This permit may be void or revoked if any of the application information is found

This permit may be void or revoked if any performance conditions are not completed or if any prohibitory conditions are violated.

Mark Abeles-Allison, Co Administrator

Authorized Issuing Official

April 20, 2022

Date